

5Si



5 Stones intelligence



Town of Canton, Massachusetts

Independent Onsite Audit of the Town of Canton Police Department

April 2025

Fiscal Years:

2015 – 2025

Date of Inspection:

November 18, 2024 – March 30, 2025



2025 Independent Audit of the Town of Canton Police Department

5 Stones intelligence (5Si) was tasked with auditing the Canton Police Department in accordance with the scope of work order detailed within. 5Si's report does not make any findings of fact or conclusions of law regarding ongoing criminal investigations or pending legal matters involving the Canton Police Department.

March 30, 2025

Dear Police Audit Committee,

On behalf of 5 Stones intelligence (5Si), we are presenting our review of the Canton Police Department's (PD) adherence to policies and procedures as further detailed in your Scope of Services agreement. Since November of 2024, 5Si has partnered with Canton town officials, the Canton PD, and Canton residents to identify, evaluate, and recommend structural and systemic improvements that the Canton PD can implement to achieve a shared vision of safe, effective, and transparent law enforcement for the Town of Canton.

Our report is the product of constructive collaboration between Canton town stakeholders, the public and the Canton PD. The cooperation, transparency, and efforts of the Canton PD, specifically its leadership, are a testimony to the power of collaborative change. We look forward to sharing our findings and our continued work with you to support the implementation of our recommendations.

5Si's audit included the evaluation of the Department's organizational culture, policies, procedures, regulations, crime scene protocols, professional standards and accountability, organizational structure and governance, citizens privacy protections, management, and operations, hiring and training standards, citizen's complaints, the internal affairs process, evidence handling and processing, financial resources and budgeting, and the effectiveness and the transparency of the department. Our Final Report has identified opportunities for improvement in several areas and offers key recommendations as set forth in the attached report.

We would like to express our gratitude to the leadership and members of the Canton PD for their cooperation and support. They have been receptive to our engagement and have collaborated closely with our team to provide the necessary information and resources to gain insight into the Department's operations and develop actionable recommendations for enhancement. Additionally, the Canton PD has embraced the suggestions put forth by 5Si and are actively working toward the implementation of those recommendations which can be effectively executed.

We appreciate the opportunity to collaborate with you in reshaping public safety in the Town of Canton. It is an honor for us to assist in your efforts to foster a secure and efficient law enforcement environment for both the police force and the communities they serve.

Sincerely,



Brian Talay,
CEO
5 Stones intelligence
Washington, D.C.

Table of Contents

Executive Summary	2
Introduction.....	2
Review, Scope, and Methodology.....	3
Evidence and Crime Scene Protocols.....	4
Professional Standards-Internal Affairs	5
Organizational Structure of Governance	5
Management Operations and Culture	7
Hiring, Training, Standards and Equipment	8
Background	12
The Canton Police Department (PD).....	12
Methodology of Audit	17
Section 1: Policies, Procedures and Regulations.....	19
A. Interrogating Suspects / Interviewing Witnesses or Victims	19
B. Evidence, Search and Seizure, Electronic Devices and Chain of Custody	20
C. Eyewitness Identification	23
D. Testifying.....	24
E. Mental Health	26
F. Handling of Juveniles	27
G. Community Relations	29
H. Hit & Run Investigations.....	30
I. Motor Vehicle Citations.....	32
J. Protective Custody	33
K. Telephone and Radio Use Including Personal Cell Phone	34
L. CEO Notification	35
M. Communications Standards of Conduct.....	36
N. Command Protocol and Order of Precedence	38
O. Dispatch Functions.....	40
P. Field Reporting.....	42
Q. Legal Process	43
R. Media and Public Information	45
S. Bias-Free Policing	48
T. Alternatives to Arrest.....	49
U. Field Training and Evaluation Program	50
V. In Car Video Recording.....	51
W. Body Camera Recording.....	52
X. Automated Plate Reader Policy/Flock Cameras	52
Y. Duty to Intervene.....	53
Z. Informants	53
AA. Domestic Disputes	56
BB. Sexual Assaults	57
CC. Dead Bodies	58
DD. Cold Cases.....	61

EE. Criminal Intelligence.....	61
FF. Internal Affairs (IA)	62
GG. Victim Witness Rights	64
HH. Training.....	66
II. Central Records	67
JJ. Oath of Officer	69
KK. Domestic Violence Involving LEO	71
LL. Code of Conduct.....	72
MM. Roll Call Policy	73
NN. Selection Process	74
OO. Dispatch Center Access and Use Policy	75
PP. School Resource Officer	76
QQ. Professional Conduct.....	78
RR. Special Operations	79
SS. Compliance with CALEA Standards on Specified Policies and Procedures	80
TT. Officer Personal Vehicle Use	81
UU. Overtime Policy and the Adherence of the Overtime	82
VV. Use of Personal Cell Phones	82
Section 2: Crime Scene Protocols Overview	85
Case File Audit of the Death of Boston Police Officer John O’Keefe	87
Case File Audit of the Death of Sandra Birchmore	99
Case File Audit of the Death of Craig Casey	102
Case File Audit of Damage to a House Under Construction.....	104
Section 3: Professional Standards and Accountability	106
Section 4: Organizational Structure and Governance	113
Section 5: Citizens Privacy Protections	120
Section 6: Management, Operations and Culture	123
Section 7: Hiring, Training Standards, and Equipment	131
Section 8: Citizens Complaint Process.....	141
Section 9: Conflicts of Interest.....	146
Section 10: Select Board Oversight and Industry Standards	149
Section 11: Recommendations and Compliance Review	154
Section 12: Recommended Improvements.....	156
Section 13: Forfeiture Forensic Review	158
Section 14: Evidence Review.....	162
Section 15: Police Detail Financial Review	167
Section 16: Additional Administrative Items to Review.....	171
Section 17: Civil Rights Review.....	174
Section 18: Liaison Interviews.....	177
Section 19: Security	181
Section 20: Recommended Improvements and Summary	184



EXECUTIVE SUMMARY

Image source: Boston Globe

EXECUTIVE SUMMARY

Introduction

The Town of Canton, Massachusetts and the Special Police Audit Committee selected 5 Stones intelligence (5Si) to conduct an Independent Police Audit (IPA) of the Canton Police Department (PD) in November 2024. Our Audit Team conducted a thorough review of the scope of work which detailed areas for review including crime scene protocols, professional standards, accountability processes, organizational structure, and other operational aspects. This audit included a financial review of overtime expenditures, asset forfeiture expenditures and police detail finances.



The residents of Canton commissioned the police audit following the tragic death of a town resident, Boston Police Officer John O’Keefe, on January 29, 2022. The community seeks to comprehensively assess the department's strengths and identify areas where improvements can be made.

The audit was conducted from November 18, 2024 to March 30, 2025, reviewing activities spanning from Fiscal Years (FY) 2015 to March 2025 at Canton PD. 5Si team members were present on-site for approximately 12 weeks evaluating the day-to-day operations, the department's adherence to internal policies and procedures, as well as compliance with applicable laws and regulations, including Massachusetts General Laws and local by-laws. Over the following several months, 5Si conducted interviews of all members of the Canton Police Department including over forty (40) police officers, and other town employees. Many of the interviews were completed under the condition of anonymity. As part of the inquiry, our team examined more than 98 policies, procedures, rules, and regulations. Recommendations were put forward in various aspects of the project, such as professional standards, civilian grievances and accountability, crime scene protocols, advanced training, and compliance with the Massachusetts Police Accreditation Commission.

In conducting this audit, we received full cooperation from Chief Helena Rafferty and other members of the police department and town employees. Prior to this audit, no member of the 5Si Audit Team had ever met any current or former employees of the Canton PD, the Police Audit Committee, or the Select Board. This report was not provided to any members of the department and/or town employees prior to April 1, 2025. The Audit Team provided updates to Robert McCarthy, Chairperson on the Police Audit Committee.

Our team conducted interviews with all Canton PD employees. The officers who agreed to be interviewed were candid, cooperative, and forthright. Each officer was interviewed in private with no supervisors present. No senior member of the Canton PD command staff, or Town Officials, interfered with or attempted to influence the information and/or findings in this report. The Audit Team operated with independence and autonomy during this audit. The Audit Team has extensive experience in investigative processes, with expertise in conducting internal investigations, compliance, and inspection related issues.

Given the interest in this audit, it is important to understand what is included as part of this audit and what is outside of the scope of this audit, as summarized below:

INCLUDED in the Audit	NOT Included in the Audit
<ul style="list-style-type: none"> ➔ Assessment of policy compliance with standards of law enforcement accreditation organizations. ➔ Assessment of the application of policy in recent investigations. ➔ Assessment of the written policy and protocols as applied in recent investigations. ➔ Presentation of findings and recommendations. 	<ul style="list-style-type: none"> ○ Reinvestigation of any cases or finding of fact. ○ Analysis of evidence collected in ongoing or prior criminal cases. ○ Rendering any opinion of guilt or innocence of a party.

Review, Scope, and Methodology

The audit was conducted in accordance with established criteria such as U.S. GAO Government Auditing Standards, Massachusetts Police Officers Standards and Training (POST) Commission Standards, and Commission on Accreditation for Law Enforcement Agencies (CALEA) Standards to ensure rigorous assessment of the department's operations. The assessment entailed a thorough evaluation of the Canton PD across a broad spectrum of operational and administrative areas. The Audit Team's focus extended beyond mere compliance to encompass the department's effectiveness and efficiency in implementing policies, procedures, rules, and regulations. We reviewed a total of 98 Canton PD policies governing procedures, rules and regulations, as well as reports of investigation, crime scene preservation, and training opportunities provided by Canton PD command staff. The Audit Team ensured a comprehensive and unbiased assessment was completed in each section as outlined in the scope of work.

Additionally, employee interviews were conducted involving all members of the Canton PD, covering leadership, patrol officers and detectives, in addition to key Town of Canton Department Heads, including the Town Administrator, Superintendent of Schools and Select Board members. These interviews highlighted areas of strength and efficiency, areas for potential improvement, and illustrated the professionalism of the Canton PD officers during what has been described as a tumultuous time in the Town of Canton's history.

As the Audit Team worked through the scope of work, numerous findings highlighted discrepancies between written policy and implementation. The Audit Team has put forth recommendations in the body of this report in an effort to assist the Town of Canton in enhancing policy compliance and operational efficiency. While the audit covered 20 sections, the areas of: Crime Scene Protocols; Professional Standards and Accountability; Organizational Structure and Governance; Management, Operations and Culture: Hiring, Training and Equipment: and Evidence, are the main areas in which the Audit Team identified immediate action and development items.

Evidence and Crime Scene Protocols

The Audit Team reviewed a series of crime scene incident reports spanning over a decade. While some investigations were found to be in line with established guidelines, there were cases of policy breaches mainly related to the use of digital photography for documenting crime scenes, as required by the Canton PD's Evidence Collection and Preservation Policy. Additional shortcomings were identified in the areas of crime scene preservation and detailed incident documentation. Our evaluation included a detailed analysis of the Canton PD Policy and Procedure, with a specific focus on Evidence Collection No. 6.01 dated October 31, 2013. This policy outlines the responsibilities of first responders in evidence collection, crime scene preservation, and documentation. Initial recommendations were for the sergeant or shift commander to take charge of crime scenes, and for additional training for Canton PD personnel to handle or supervise evidence collection.

During the examination, the Audit Team assessed the response and crime scene procedures carried out by Canton PD officers on January 29, 2022, involving the tragic death of Boston Police Officer John O'Keefe at 34 Fairview Road in the early morning hours. These actions were compared against existing policies, regulations, and requirements to determine compliance. The review of this major incident encompassed crime scene investigations, police reports, evidence collection, crime scene security, interviews, and evidence documentation. Policy violations were identified and are detailed both below and in the **Final Report**.

OBSERVATIONS AND FINDINGS

- First Responding Officers should have photographed Boston Police Officer John O'Keefe at the location of where he was found before Fire Rescue moved him to the rescue.
- All interviews of critical witnesses, including Jennifer McCabe and Kerry Roberts, should have been conducted at Canton PD on January 29, 2022, after John O'Keefe was transported to the hospital.
- Consensual Recorded Witness Interviews should have been conducted.
- The MSP along with Canton PD should have maintained a police presence at 34 Fairview Road pending the secondary search conducted by MSP crime scene units.
- *ALL* video footage (files) maintained on Canton PDs computer systems of Karen Read's Lexus SUV while it was housed at Canton PD from January 29 through February 2, 2022, should have been requested and turned over early in the Karen Read case to lead investigators for any action as deemed appropriate.

Professional Standards-Internal Affairs

In evaluating professional standards and processes, the Audit Team conducted an examination of Internal Affairs (IA) investigations dating back to 1991. As a result, we found that there was a lack of organization and consistency for the investigative files and for investigative efforts, particularly during the tenure of four (4) different Canton Police Chiefs, namely John Ruane Jr., Peter Bright, Kenneth Berkowitz, and Helena Rafferty. We examined seventy-five (75) IA investigative files over a twenty (20)-year period. These seventy-five (75) actions resulted in sixty-three (63) clearances and twelve (12) acts of sustained violations. The twelve (12) sustained violations resulted in: four (4) suspensions, one (1) demotion and seven (7) counseling/training sessions. The Audit Team determined that POST requirements were met as they related to these inquiries and subsequent disciplinary actions. The most recent action occurred on October 2, 2024. Two (2) complaints and results were sent to POST in accordance with policy.

It was noted that due to the department's size, establishing a designated Internal Affairs division or the designation of a full-time Internal Affairs Investigator is not practical. The Audit Team found that complaint files were not maintained in a consistent manner as methods of investigation, documentation and processes were varied. While the Deputy Chief of Operations and Investigations is responsible for overseeing internal investigations, we found some complaints filed by residents and/or violations of policy and procedure by officers were handled directly by the Chief of Police, creating a conflict.

OBSERVATIONS AND FINDINGS

- The Canton PD's Internal Affairs process is inconsistent regarding investigation and documentation methods.
- The Audit Team found no instances where complaints were intentionally ignored, or officer misconduct was arbitrarily excused; but the consistency in how cases were handled varied greatly.
- Several misconduct complaints were handled directly by the Chief of Police. The Audit Team recommends hiring outside firms for IA investigations where conflicts and potential conflicts exist, or cases where multiple officers are involved.

Organizational Structure of Governance

The Canton PD's hierarchy framework and chain of command are well-defined, ensuring that communication follows the appropriate channels to reach supervisors. Information flows smoothly to the necessary authorities when senior decision-making is needed. By bringing in additional civilian staff members, such as intelligence analysts, the department could greatly improve communication capabilities, leading to increased efficiency and effectiveness.

The Audit Team found that the patrol division and investigative division frequently collaborate on crime prevention and provide effective support to each other's efforts. Their teamwork and synchronization are evident in their combined responses to incidents, such as a non-fatal shooting event in November 2024.

During this occurrence, both divisions swiftly reacted, apprehended the shooter, and gathered crucial evidence, including the weapon used. Their cohesive approach involved conducting interviews, examining evidence, and liaising with prosecutors to file attempted murder charges against the offender. The unity and coordination between the patrol and investigative divisions were outstanding and played a crucial role in the successful resolution of the case. Patrol officers are actively engaged in cases and maintain close collaboration with the detective division. Additionally, all details and activities were promptly communicated to senior management and town officials, guaranteeing appropriate notifications within the organization.

Canton PD patrol officers are tasked with handling both 911 calls and other calls for service, dispatching calls for service to patrol units. The Audit Team recommends that the Canton PD should consider transferring their dispatch and 911 responsibilities to the Holbrook Regional Dispatch Center. The relocation of dispatch operations to the Holbrook Dispatch center will not incur any expenses for the Town of Canton for a period of 3 years. Furthermore, this transition will ensure the provision of services, maintenance, and upgrades to the radio communication systems such as transmitters and repeaters be funded by the state. A secondary option would be for Canton PD to hire full-time dispatchers to assist officers in taking calls for service, non-emergency, and emergency calls for service and other administrative tasks.

These recommendations are based on best practices and are anticipated to enhance the efficiency of the Canton PD while fulfilling various needs.

While the department has established and implemented standards for communicating with the public regarding emergencies, the function that permits public feedback has been deactivated. This has limited the possibility of productive discussions. Some individuals in the community along with social media influencers have continuously targeted the police department and its personnel with scornful comments, negative personal attacks, and severe critique even for the most basic aspects of their duties. This has hampered efforts to establish a constructive dialogue.

OBSERVATIONS AND FINDINGS

- The Canton PD had three (3) Internal Affairs investigations in the past year as the result of police officer dispatch failures.
- No civilian dispatchers are employed by the Canton PD.
- The Canton PD has only one (1) part-time civilian employee.

Management Operations and Culture

The Audit Team observed Chief Rafferty's leadership style and found her approach and decision-making abilities to be effective. Chief Rafferty is highly respected by the members of the department and colleagues in the law enforcement community. There is a noticeable decrease in morale among department members, largely due to public scrutiny regarding the Canton PD's handling of the crime scene and the investigation into the death of Canton resident and Boston Police Officer, John O'Keefe. While constructive feedback is beneficial, the continuation of personal criticisms has transformed from a method for improvement to personal attacks. These attacks via various avenues such as social media, phone calls, e-mails, and public demonstrations have had a significant negative impact on morale within the department.

Social media personalities have claimed that the Canton PD deliberately mishandled the crime scene where Mr. O'Keefe was found on January 29, 2022, and implied a possible cover-up within the department to hide the circumstances around Mr. O'Keefe's death. Following her arrest, Karen Read and her legal team have asserted there is a conspiracy and cover-up involving law enforcement and witnesses. Influential figures on social media from various regions have been tracking and amplifying these claims. Multiple Canton PD officers have stated that they have experienced harassment from the public while working, spending personal time with their families and children, and during off-duty police details. A gathering of individuals supporting the "Free Karen Read" movement regularly protest outside the Canton PD. There have been numerous accounts of officers encountering harassment, both in-person and online, including through e-mails, voicemails, social media platforms, and YouTube. Members of the Audit Team have received e-mails and text messages prompting team members to investigate allegations and alleged cover-ups by police.

While tensions are strained within the community, it is incumbent upon the leadership for the Town of Canton to remain unbiased and objective. Any lack of support from Town leadership coupled with the vitriol expressed by some members of the public, has negatively impacted the morale of the officers.

The following two quotes given by two (2) separate Canton PD officers during their interviews highlight the chasm that exist between the Canton PD and the Town Officials.

"No one in this town will care about us until one of us gets murdered, even then half the town will probably celebrate that."

"Elected officials don't care about us. Now the easiest way to gain popularity or get elected is to publicly trash us. They have no political platform, just trash the police. That's it. It doesn't even have to be true, just do it."

OBSERVATIONS AND FINDINGS

- The Canton PD has above average morale as it relates to camaraderie and faith in the department.

- Interviews conducted by the Audit Team revealed that officers do not feel they have the support of Canton Town Officials.
- The Canton PD officers' morale as it relates to its relationship with the Town is low.
- The Audit Team has been informed that Town meetings in the Town of Canton devolve and become contentious and unproductive.

Hiring, Training, Standards and Equipment

The Canton PD is a civil service department, which plays an important role in ranking and selecting new officers. Prior to exercising police powers in the Commonwealth, individuals must successfully complete the prescribed course of study for basic police training authorized by Municipal Police Training Committee (MPTC). The Municipal Police Training Committee sets the standards for basic police training for candidates hired by individual police departments throughout the Commonwealth. Those police departments submit applications for their employees (or sponsored candidates) to the recruit academies. Hiring practices vary by department and certain departments, operating by Civil Service, (Canton PD) must follow a selection process set forth by statute.

All Canton PD recruits in accordance with state law must: 1) be a minimum of 21 years old; 2) be employed or sponsored by the Canton PD, and 3) successfully complete the Massachusetts Human Resource Division's Physical Ability Test (PAT) and medical examination before assignment to the academy.

The Canton PD hiring process and the standards followed are in alignment with policy, civil service requirements and industry best standards.

Additional training for Canton PD officers is required. While the Canton PD meets training requirements as they relate to certifications and qualifications, our team recommends Canton PD detectives receive advanced training in crime scene photography, crime scene documentation, evidence evaluation, and collection.

The Audit Team recommends further training in the areas of crime scene management, report writing, evidence collection, expert witness testifying, internal affairs, discovery rules and legal ethics. Additionally, officers have expressed a desire for more training and while the Command Staff attempts to fulfill each request, current budget constraints prevent them from doing so.

The Audit Team has pinpointed locations in the Town of Canton where the Canton PD portable radios are not functional. Given that officers are not equipped with department-issued cell phones, the scenario where a Canton PD officer may be dispatched from their marked patrol car to address an emergency situation on Washington Street (Canton Central) without any means of communication is realistic and concerning. This situation could leave the Town vulnerable to legal action.

OBSERVATIONS AND FINDINGS

- The Canton PD detectives need advanced training in crime scene investigations.
- The Canton PD needs an increased training budget approved by the town.
- Civil Service Standards place a limitation on who can be hired by the Town of Canton.
- Portable Radios and their inability to provide complete coverage is problematic.
- Canton PD officers are not issued department cellular phones.

Below is a list of a few recommendations as they relate to the above observations and findings. The Final Report contains numerous additional findings and recommendations.

RECOMMENDATIONS

This section sets forth our recommendations for changes in the department.

Recommendation 1

Interviews Conducted at the Canton PD. Interviews of witnesses should be conducted at the Canton PD whenever possible. These interviews should be recorded and conducted as soon as possible after an event.

Recommendation 2

All sergeant and patrol vehicles should have full crime scene kits including evidence collection bags, sealing equipment and digital cameras. Department phones or digital cameras should be placed in patrol cars for officers to document crime scenes. The Audit Team identified that officers and detectives used personal phones to photograph crime scenes. Patrol officers and sergeants noted that Canton PD has one (1) digital camera assigned to the detective division. Chief Rafferty is aware of this recommendation and is in the process of purchasing additional digital cameras for officers.

Recommendation 3

Re-write Canton PD policy and procedure related to utilization and authorization of personal phones to photograph or video crime scenes. All policy should be changed to mandate the utilization of *ONLY* department issued/owned phones to photograph crime scenes. Use of personal phones should be strictly prohibited.

Recommendation 4

Relinquish 911 and dispatch responsibilities to the Holbrook dispatch Center or Hire full time dispatchers. In the past six (6) months, the Audit Team identified three (3) separate occasions where patrol officers failed to dispatch officers to calls for service. The Audit Team found most neighboring police departments of similar size employ full-time dispatchers or

utilize regional dispatch centers. These options must be evaluated by the Town of Canton as either could alleviate overtime costs while providing an extra police body where needed. The use of regional or full-time dispatchers would allow overtime funds to be redirected towards overtime expenses incurred while attending training. Additionally, the officers covering dispatch would be available to perform police functions on patrol instead. If regional dispatch is the selected alternative, any expenses from radio system upgrades and maintenance is covered by the Commonwealth.

Recommendation 5

Increase training opportunities for patrol officers, detectives, and sergeants. Specific training of note includes crime scene training, interrogation and witness interviews, and evidence documentation practices.

Recommendation 6

Chief of the Investigations Division should review all death investigation police reports to ensure completeness, accuracy and exhaustion of all investigative avenues. *[Note: A Canton PD detective wrote that Sandra Birchmore died of a suicide in the initial report. It was later determined that she had been killed by strangulation.]*

Recommendation 7

Provide prompt, proportional, and consistent discipline across the department. Discipline must be applied consistently to all employees and administered in a manner that prevents the appearance of undue favor to any employee. The Audit Team identified that several Internal Affairs cases were handled directly by the Chief of Police and instances where the discipline process was not always applied consistently.



BACKGROUND

Image source: Boston Globe

BACKGROUND

In October 2024, the Town of Canton, Massachusetts, along with a Special Police Audit Committee, selected 5 Stones intelligence (5Si) to conduct an Independent Police Audit (IPA) of the Canton Police PD. This audit took place between November 18, 2024 and March 21, 2025, examining activities from Fiscal Years (FY) 2015 through March 2025. The audit aimed to assess whether the CDP adhered to internal policies and procedures, and to ensure compliance with all relevant laws and regulations, including Massachusetts General Laws and local by-laws. The audit adhered to various standards such as U.S. GAO Government Auditing Standards, Massachusetts Police Officers Standards and Training (POST) Commission Standards, and Commission on Accreditation for Law Enforcement Agencies (CALEA) Standards. A thorough review was conducted of citizen complaints, conflict of interest issues, crime scene protocols, professional standards, accountability processes, organizational structure, and other operational aspects. This audit included a financial review of forfeiture expenditures and police detail finances and was carried out in partnership with the Special Police Audit Committee.

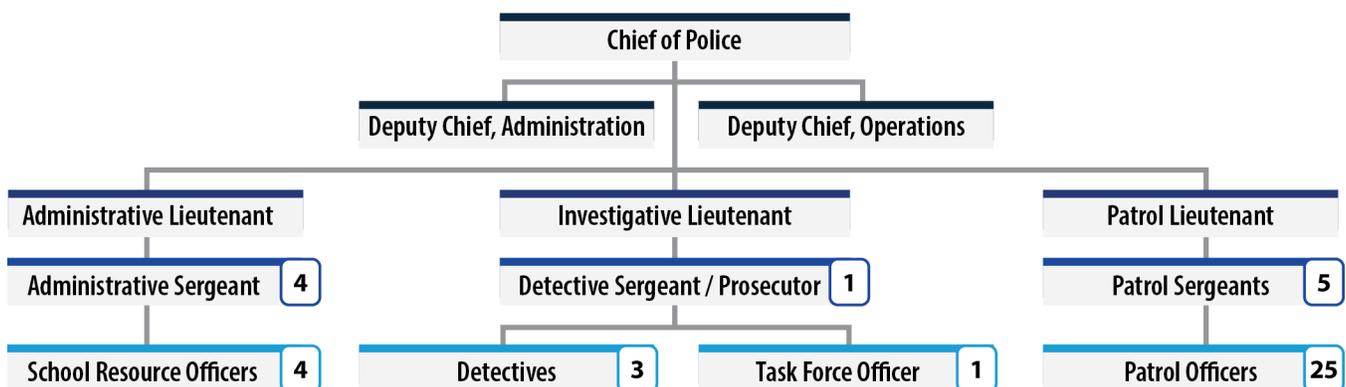
The audit was initiated following a special town meeting in November 2024, where residents of Canton voted to audit the local police department in response to the death of Boston Police Officer, John O’Keefe, in Canton and the police’s handling of the crime scene and subsequent investigation. Consequently, the Canton Select Board formed a Special Police Audit Committee to oversee the audit. The committee was chaired by Robert “Bob” McCarthy, with additional members including David Clough, Kathleen Howley, Dr. Daniel Muse, and Colonel John Kelly (retired from the Massachusetts State Police).

The Canton Police Department (PD)

The Canton PD is a municipal police force in Massachusetts employing fifty (50) personnel, including forty-two (42) sworn officers. The department is headed by Police Chief Helena Rafferty, who was appointed in 2022. Chief Rafferty, a 35-year veteran of the department and an FBI National Academy graduate, ascended through the department's ranks to her current position. The majority of the department's officers operate within the Patrol Division, focusing on responding to service calls and patrolling town streets, schools, and businesses.

Canton PD Structure

The command structure of the Canton PD is as follows:



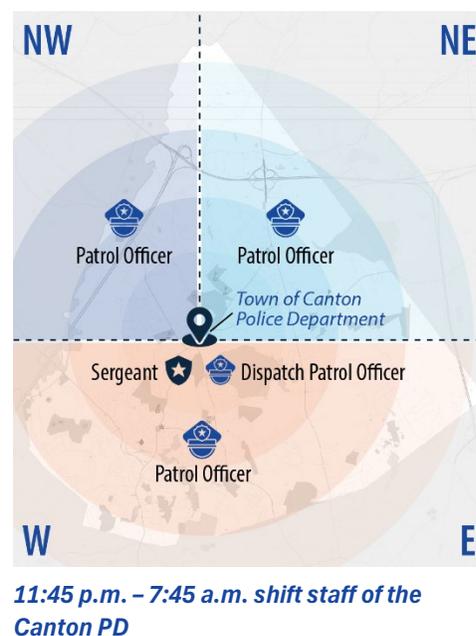
When at full staff, the Canton PD has twenty-five (25) patrol officers and seven (7) sergeants. Currently, the Canton PD is down seven (7) officers with another deployed (sergeant) on military leave.

Shifts and Staffing

The Town of Canton is divided into four (4) sectors: Northwest, Northeast, West and East. On the dayshifts (7:45 a.m.- 3:45 p.m.) there is a uniformed officer assigned to each sector, a patrol sergeant who roves and responds to any serious calls, and an administrative sergeant in the station. A lieutenant is assigned to each dayshift serving as Station Commander. A minimum of one detective is assigned to each dayshift with the remaining detectives on call and available. Additionally, during the week there are four (4) full-time school resource officers each assigned to Canton High School, Blue Hills Regional High School and Galvin Middle School, with the fourth officer assigned to service all three (3) public elementary schools.

Evening shift (3:45 p.m.- 11:45 p.m.) is staffed the same as the day shift, except for the school resource officers.

The overnight shift (11:45 p.m. - 7:45 a.m.) is staffed with four (4) patrol officers and one (1) sergeant. The West and East sectors become one sector while the Northwest and Northeast remain separate sectors. Each of these three (3) sectors are staffed with a patrol officer. The fourth officer is assigned to dispatch, and the sergeant patrols city-wide as a roving unit available to respond as needed to any sector.



Criminal Investigation Division (CID)

The Canton PD has a Criminal Investigation Division (CID) that focuses on investigating violent offenders, serious crimes and related offenses. The CID is commanded by a lieutenant detective who oversees one (1) detective sergeant and three (3) detectives. The CID performs tactical operations, serves warrants, and works in concert with the Massachusetts State Police (MSP), neighboring state and local law enforcement agencies, and federal law enforcement agencies including the DEA, ATF and FBI. The CID Sergeant serves as the police prosecutor at Norfolk County Superior Court.

The CID detectives are also responsible for conducting any internal investigations or inquiries initiated as the result of a civilian complaint or allegation made by another Canton PD employee. The assignment of investigative personnel is at the discretion of the Canton PD senior leadership.

Canton PD Rules of Conduct

Rules and Regulations H:1 state in part:

“Each employee of the Canton Police Department is expected to show his loyalty to the organization through putting forth his best effort to accomplish the Department's goals and objectives. Police Department employees must comply

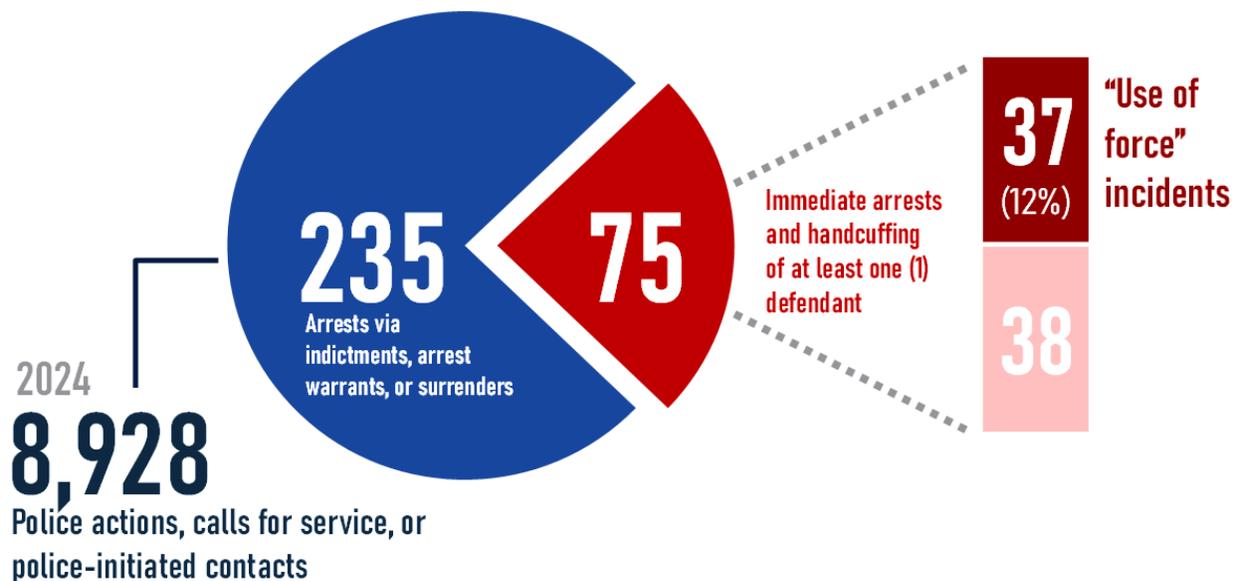
with the rules and regulations set forth by the Canton Police Department and are to act both publicly and privately in a manner reflecting the highest public interest. Actions taken by an employee contrary to this paragraph shall be grounds for disciplinary actions...

This regulation is the backbone of the Canton PD expectation of professionalism, courtesy, and integrity. The Canton PD code of conduct contains twelve (12) pages and addresses pertinent issues required by CALEA and Massachusetts POST conduct expectations as they relate to such areas as: Professionalism when working with other agencies, Dissemination of Information, Courtesy and Respect, Interaction with the Public, Courtesy to the Public, Requests for Assistance, Professional Trust, Referrals for Service, Discrimination, Disparaging Terms, Prejudice, Stereotyping, Anti-Semitism, Racism, Sexual Harassment, Dishonesty, and Political Involvement.

All employees of the Canton PD, both sworn and non-sworn, are required to familiarize themselves with the provisions of the Department’s Rules and Regulations. All Canton PD policies were reviewed and updated by Chief Helena Rafferty in November 2024. Canton PD policies, procedures and regulations are available via each desktop on the l-drive under the title “Canton Police Department Rules and Regulations” and on each officer’s cell phone via the Blue Voice application.

2024 Canton Police Enforcement Statistics

In 2024, the Canton PD logged 9,071 dispatch entries of which 8,928 were police actions, calls for service, or police-initiated contacts. Of these 8,928 encounters, 310 resulted in an eventual arrest, with 75 resulting in an immediate arrest and handcuffing of at least one defendant. The other 235 arrests resulted from indictments, arrest warrants, or surrenders. Of the 310 arrests, 37 resulted in a “use of force” incident, representing approximately 12% of all the arrests. The use of force numbers and types are depicted in the chart below.



Canton PD Police Enforcement Statistics

Scope of Work and Areas Evaluated

The Audit Team was asked to assess the following programs and policies for compliance with Massachusetts State POST and Massachusetts Police Accreditation Commission Standards (MPAC) requirements:

- Interviewing witnesses or victims' policy
- Search and seizure policy
- Eyewitness Identification policy
- Interrogating suspects policy
- Testifying policy
- Mental Health policy
- Handling of Juveniles policy
- Chain of Custody – Evidence Property policy
- Community Relations policy
- Hit and Run Investigations policy
- Motor Vehicle Citations policy
- Protective Custody policy
- Telephone and Radio Use, including personal cell phone, policy
- CEO Notification policy
- Communications Standards of Conduct policy
- Command Protocol and Order of Precedence policy
- Dispatch Functions policy
- Field Reporting policy
- Legal Process policy
- Media and Public Information policy
- Bias-Free Policing policy
- Alternatives to Arrest policy
- Field Training and Evaluation Program policy
- In-Car Video Recording policy
- Body Camera Recording policy
- Automated Plate Reader policy
- Duty to Intervene policy



Massachusetts Police Accreditation Commission Certification

- Searching and Seizing Electronic Devices policy
- Internal Affairs policy
- Victim Witness Rights policy
- Training policy
- Central Records policy
- Oath of Officer policy
- Domestic Violence Involving LEO policy
- Code of Conduct policy
- Roll Call policy
- Selection Process policy
- Dispatch Center Access and Use policy
- School Resource Officer policy
- Professional Conduct policy
- Evidence policy
- Special Operations policy

- Informants’ policy
- Domestic Disputes policy
- Sexual Assaults policy
- Dead Bodies policy
- Cold Cases policy
- Criminal Intelligence policy
- Compliance with CALEA Standards on Specified Policies and Procedures
- Officer Personal Use Vehicle policy
- Overtime policy and the adherence of the overtime policy
- Use of Personal Cell Phones policy and adherence to the policy

The requested assessment involved a comprehensive evaluation of the Canton PD in a range of operational and administrative areas. The Audit Team reviewed the Canton PD’s policies, procedures, rules, and regulations and evaluated Canton PD practices for compliance thereto. Below is a summary of the key components of the assessment:

1. **Review of Documentation:** The Audit Team reviewed various documents including policies, procedures, department directives, and training requirements provided by Chief Rafferty. The assessment aimed to ensure these documents align with Massachusetts State Laws, POST requirements, best practices, CALEA standards, and Canton PD’s MPAC certifications.
2. **Interviews Conducted:** Approximately 55 interviews were conducted. The Audit Team received 100% participation from the Canton PD—from leadership to officers and detectives. Interviews were conducted with the Town of Canton department heads, including the Town Administrator, the Superintendent of Canton Public Schools, and Select Board members. Multiple Town of Canton citizens established contact with the Audit Team and were also interviewed. These interviews sought insight on department culture, morale, leadership effectiveness, the influence of the Select Board on the department, and community relationships and concerns.
3. **Assessment Criteria:** The assessment weighed department policies and their implementation against several criteria:
 - a. **Adherence:** How well the Canton PD personnel follow existing policies and regulations.
 - b. **Alignment:** The synchronization of policies with strategic and capital planning initiatives.
 - c. **Efficiency and Effectiveness:** Evaluation of resource utilization and goal achievement.
 - d. **Financial Constraints:** How effectively the department works within the town’s budgetary limitations.
 - e. **Compliance:** Adherence to standards set by the GAO’s Government Auditing Standards, POST Commission, Massachusetts Police Accreditation Commission, Massachusetts General Laws, Code of Massachusetts Regulations, CALEA, and Town of Canton By-Laws.
4. **Findings and Recommendations:** Specific findings and recommendations were not applicable in all areas of the audit; therefore, those sections will not be dissected in detail. Many of our findings assessed gaps in written policy and policy implementation. Where such gaps were noted, the Audit Team included recommendations for enhancing policy adherence and operational efficiency.

Canton PD's internal controls and compliance oversight have improved since the initiation of the Audit and are functioning, and Canton PD has effective leadership in place to supervise officers going forward. Chief Rafferty has been advised of recommendations and implemented necessary changes to improve crime scene and professional standards procedures.

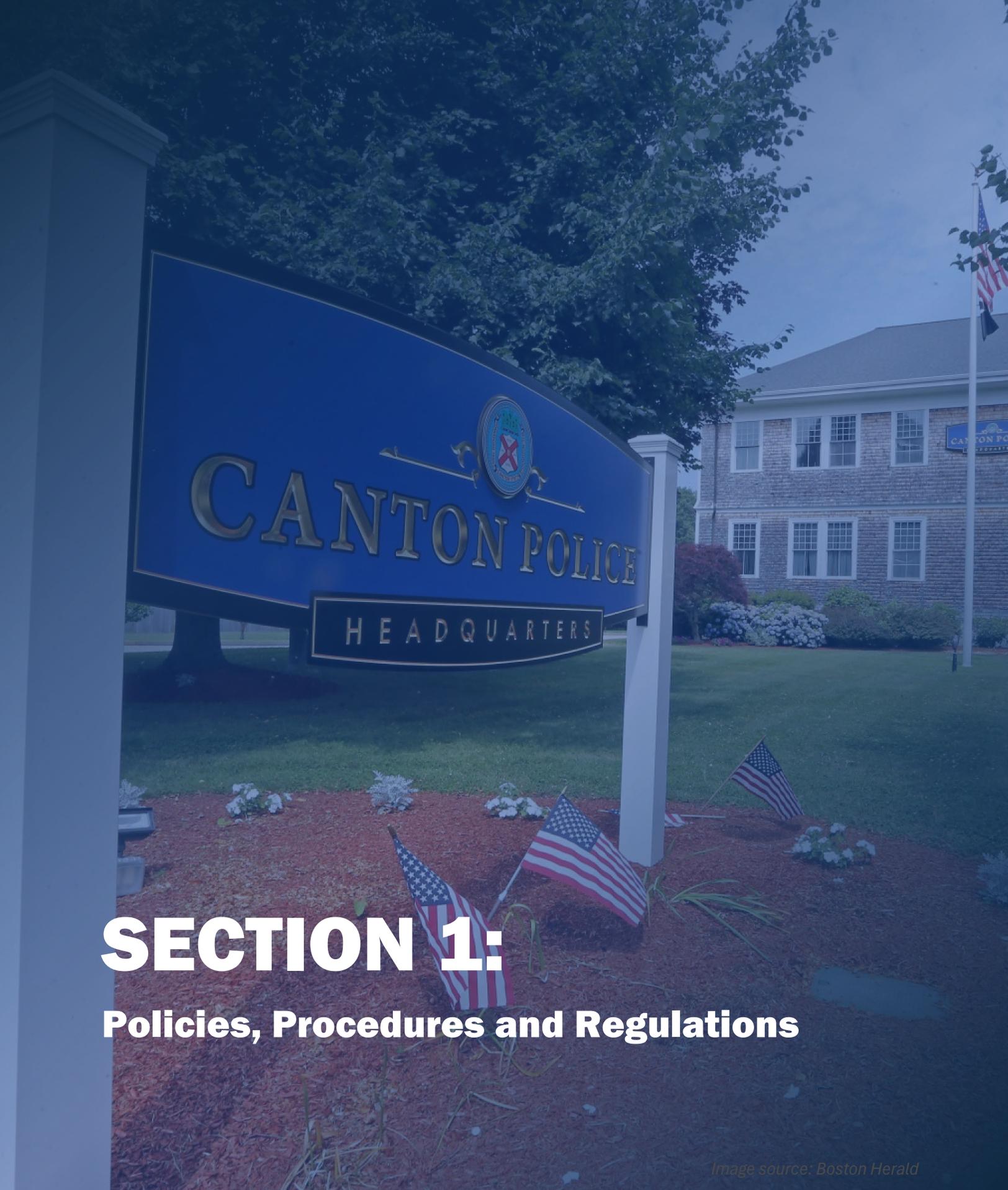
Methodology of Audit

When evaluating the department's policies based on the given criteria, it is imperative to note certain limitations to the assessment when it comes to budgetary evaluations. No law enforcement or public safety policy should be limited for the purpose of operating within the financial restrictions of the town. These policies are formulated to provide directives pertaining to public safety, officer safety, and adherence to best practices within the law enforcement industry with the goal of ensuring protection from and prevention of criminal actions. The notion that any public safety, officer safety, or effective law enforcement practice should be limited to adhering to financial constraints is a decision that cannot be endorsed by this Audit Team. This principle extends to Capital Planning Initiatives as well. Any initiatives undertaken by the town must be in line with police policies and account for resulting budgetary requirements. These policies and standards that the Canton PD must abide by are mandated by POST, MPAC, and Massachusetts State Law, and therefore should not be limited by financial initiatives. Synchronization of services with alignment to budgets is a historic challenge to police professionals.

The Canton PD holds a current certification from the Massachusetts Police Accreditation Commission (MPAC). Recognizing the compliance of the Canton PD with MPAC, the Audit Team has incorporated the CALEA requirements (considered the "Gold Standard" for law enforcement agencies), the POST requirements, and Massachusetts law into our assessment of policy and procedure.

Each segment of the evaluation focused on specific points delineated by the Canton Audit Committee. Whenever feasible, the Audit Team scrutinized documents, reports, and policies provided digitally to gain a comprehensive understanding of procedures. In instances where digital review was not available, the Audit Team examined physical copies of these documents on-site before proceeding with the evaluation of the respective topics. The Audit Team meticulously evaluated the actions of the Canton PD against established policies and procedures. Evaluation considered external factors beyond the Canton PD's control and internal factors, such as training, resources, and staffing levels. Our observations have been documented, and recommendations have been proposed where applicable to rectify identified gaps in policy application and compliance. When the Scope of Work yielded repetitive findings, these were amalgamated in sections to present a concise overview.

Overall, our audit sought to ensure the Canton PD complied with necessary regulations and operates efficiently and effectively going forward – aligning its practices with broader strategic and financial goals while maintaining strong community relationships. Given the size and nature of the request, the Audit Team structured this report in alignment with the scope of work for ease of review.



SECTION 1:

Policies, Procedures and Regulations

Image source: Boston Herald

SECTION 1: POLICIES, PROCEDURES AND REGULATIONS

A. Interrogating Suspects / Interviewing Witnesses or Victims

The policy is outlined under Policy No 2.08, in alignment with CALEA Standards 42.2.1 B, and provides comprehensive guidance on interrogating suspects and interviewing witnesses or victims within the Canton PD. Key elements of the policy are as follows.

Key Elements of the Policy

Compliance with Miranda Requirements:

- Officers must issue Miranda warnings when appropriate, specifically from a Canton PD-issued Miranda warning card or documentation.
- Awareness of language barriers, fatigue, medications, or mental health issues affecting the suspect's ability to understand the rights waiver is crucial.

Voluntary Statements:

Voluntary statements are acceptable under two (2) conditions:

- After a clear waiver of Miranda rights.
- As unprovoked spontaneous utterances, made freely without officer prompting.

Conducting Interviews:

- Officers are encouraged to follow a structured approach, although the content and methods may vary based on the investigation's nature and the interview subject.
- Proper interview techniques must be employed to enhance productivity, protect public rights, maintain professionalism, and increase interview efficiency.

Standardization and Consistency:

The review identified inconsistencies in the format, structure, and content of interview reports. These inconsistencies indicate a need for a more uniform approach to both interviews and documentation.

RECOMMENDATIONS

The Canton PD's policies regarding interrogations and interviews align with POST and CALEA standards, emphasizing the protection of constitutional rights and promoting effective investigative techniques. However, establishing a consistent approach to conducting interviews and documentation ensures the effectiveness and reliability of statements obtained by the department. These efforts will also support legal admissibility and enhance the overall quality of investigative work.

Specific recommendations for the Canton PD include:

Uniform Approach to Documentation

Implement standardized templates or guidelines for reporting interviews, ensuring consistency in formatting, structure, and essential content. A template should be adaptable to appropriately document different types of interviews, but nonetheless provide a consistent structure to be used by the department.

Ongoing Evaluation and Improvement

Canton PD policies include self-evaluation mechanisms to assess interview effectiveness and remediate shortcomings. Commanding officers must consistently review the reports of subordinates ensuring effectiveness and thoroughness.

The Officer in Charge (OIC) of the Investigations Unit should review any interviews deemed inadmissible in court or in cases where prosecution is declined. Such a review will identify shortcomings in the reports so improvements can be implemented appropriately.

Separation of Suspects During Questioning

When conducting interviews of multiple individuals, interviewees should be separated from each other prior to and during questioning. Detectives should record all interviews electronically when possible. Separating witnesses/suspects is a key factor in corroborating statements from multiple individuals.

Training and Policy Amendments

Where deficiencies are identified, amendments to existing policies should be made and additional training should be provided to ensure the changes are noted and understood.

B. Evidence, Search and Seizure, Electronic Devices and Chain of Custody

The audit of the Canton PD’s policies concerning Search and Seizure, Chain of Custody, Seizing Electronic Devices and Evidence Handling reveals a comprehensive framework that meets established standards. Below is a summary and review of the policies and related procedures.

Key Policy Areas Reviewed

Search and Seizure:

- Covered under Policy No. 1.07.
- Aligns with CALEA and POST Standards, ensuring that the rights of individuals are respected while allowing for effective law enforcement operations, specifically the execution of a search warrant and the seizing of physical property.

Chain of Custody:

- Defined as the systematic documentation process that tracks evidence/property from discovery to custody with the department.

- Critical details recorded include location, date/time, and personnel involved in each transfer, ensuring continuity and accountability.
- Emphasizes the use of a computerized records management system (IMC Enterprise Software Platform) for accurate tracking and management.

Evidence Handling:

- Detailed in Policy No. 6.02.
- Differentiates between temporary and permanent storage solutions to secure evidence:
 - **Temporary Evidence Room:** Includes lockers, shelves, and secure containers for immediate deposit.
 - **Permanent Evidence Room:** Highly secured, long-term storage with rigorous access control, monitored by 24-hour video surveillance.
- Prohibits unauthorized storage of evidence outside designated areas, preventing mishandling or loss.
 - Managed by a designated Evidence/Property Officer who is accountable for the integrity of all evidence.

Seizing Electronic Devices:

- Follows policy as outlined in Policy No. 6.02
- Electronic evidence (cell phones / computers / tablets) should only be seized if:
 - Consent was provided to download and search the device.
 - It is anticipated that a search warrant will be obtained to search the device.
- Canton PD policy calls for all electronic devices seized to be shut off/switched to airplane mode and sealed in a Faraday Bag, preventing the reception/transmission of EMF signals altering the contents of the device at the time of seizure.

Roles:

- **Evidence/Property Officer:** Responsible for maintaining control over all evidence, ensuring proper storage, and processing procedures.
- **Impounding Officer:** The initial officer collecting the evidence starts the chain of custody.
- **Confiscated Property:** Items seized not directly related to evidence of a crime, e.g., firearms not involved in criminal cases, which are to be secured in a department armory.
- **Affiant:** Sworn Officer or Detective that provided information under oath to the court magistrate or judge to obtain a warrant to search or seize evidence.

Audit Team's Observations

Below is a summary of the Audit Team's observations of physical facilities:

- Evidence storage areas are under strict video monitoring with access controlled by electronic cards.
- Evidence documentation is maintained in an electronic log controlled at the Town administration level.
- Access to the main evidence vault is restricted with detailed entry logs maintained electronically.

- Surveillance footage of evidence access areas can be reviewed, but not altered, by either the primary or alternate evidence custodian.
- All sworn officers have electronic card access to the temporary evidence holding and processing room, which is under 24-hour video surveillance.
- All evidence brought into the station after hours for submission into evidence is logged in and then deposited into a secure temporary evidence container, pending final processing by the evidence custodian. Once evidence is secured in the temporary evidence container, the only person(s) that can retrieve the evidence are the Canton PD evidence custodian(s).

Inspection, Inventory, and Audit of Evidence Room in consideration of CALEA Standards

The Audit Team inspected the temporary storage, the evidence room, and evidence currently being held by the Canton PD. In addition, we conducted spot checks of random evidentiary items upon arrival in November of 2024. This review determined that the Canton PD is in compliance with policy and procedures as recommended by CALEA Standards. *[Note: Chief Rafferty provided the Audit Team with the 2022, 2023 and 2024 yearly audits of the evidence room, which covered the inspection of all seized money, narcotics, firearms, sexual assault kits, and property evidence].*

The 2022, 2023 and 2024 audits revealed that firearms were being stored along with other evidence in the main system. While not a violation, a recommendation was in alignment with best practices to separate firearms from traditional evidence. The Audit Team confirmed that the recommendations made from the previous October 2024 audit had been adhered to and implemented. All firearms are now stored separately and secured in a separate area in the evidence room.

The evidence room was recently re-organized into five (5) different areas: Narcotics Evidence, Firearms, Sexual Assault Kits, Property and Alcohol. In February of 2025, the Audit Team conducted a second audit. This audit was unannounced and included a review of a randomly selected part of the evidence room and its contents. The Audit Team requested the production of randomly selected pieces of evidence spanning multiple decades and types of cases. The Canton PD evidence custodian immediately located and produced all evidentiary items requested, which were properly secured and maintained.

It is important to understand that there is not a policy that can tell an officer what will be classified as evidence. The collection of evidence depends on the type of investigation and the role of the investigator. Supervision, experience and discretion are key to correctly identifying evidence in an investigation. The goal is to be thorough and fair while minimizing the impact to the lives and rights of the public. An officer cannot simply take everything and sort it out later. The seizure of property has a direct impact on civilians and what officers choose to seize must be considered to have immediate evidentiary value.

The Canton PD policy delineates the difference between the handling of drug evidence and non-drug evidence and includes separate processing procedures for gun evidence, adhering to CALEA Standard 84.1.2B.

The Canton PD procedures and policies as they relate to evidence handling have been found to be consistent with CALEA Standards 84 “Property and Evidence Control,” specifically 84.1.1 through 84.1.7; 83.2.1 (1D) (1F).

The Canton PD's policies on search, seizure, and evidence handling emphasize accountability, security, and adherence to legal standards. The integration of technology, such as the IMC Enterprise Software Platform and comprehensive surveillance systems, demonstrates an effort to ensure these practices. The department does not allow unauthorized storage and tracks all evidence interactions. Overall, the Canton PD demonstrates a commitment to best practices in law enforcement evidence management, ensuring both legal compliance and the protection of evidence integrity throughout the process.

RECOMMENDATIONS

All Canton PD sergeant vehicles should be equipped with digital cameras for photographing and memorializing crime scenes, specifically the acquisition of evidence. Further, this equipment standard should be required by policy. All evidence should be photographed at the time of seizure by detectives and captured on body-worn cameras by patrol officers when possible. These photographs should be entered into evidence as a separate exhibit and their acquisition documented in the reporting of events.

The Canton PD was found to be in compliance with evidence procedures during annual announced audits. The Audit Team recommends that the leadership of the Canton PD conduct “unannounced audits” with both the Evidence Custodian and the Alternate Evidence Custodian at different times. Doing so will ensure day-to-day operations remain in compliance with policy and requirements. Additionally, audits of this nature confirm that both the evidence custodian, and his alternate, can locate and retrieve exhibits in a correct manner according to policy.

As recommended in *Section 2: Crime Scene Protocols Overview*, patrolmen and responding detectives should attend a “Crime Scene Preservation Class.” The Canton PD may only process minor crime scenes, but the ability to memorialize, preserve and maintain the crime scene until a processing unit arrives is crucial. “Minor” crime scenes may eventually become “major” crime scenes in the event of the later discovery of relevant evidence.

All Canton PD marked units should have crime scene preservation kits (Crime Scene Tape, scribe equipment, etc.) and evidence collection kits in their vehicles. All sergeant and detective vehicles should have full crime scene kits including bags and sealing equipment.

C. Eyewitness Identification

The audit highlighted several key practices within the Canton PD's Eyewitness Identification Policy, such as:

- **Blind Administration:** Ensuring that the officer conducting the lineup does not know the identity of the suspect to prevent any unintentional cues to the witness.
- **Sequential Presentation:** Presenting lineup members one at a time rather than all at once, which has been shown to reduce the risk of mistaken identification.
- **Use of Fillers:** Carefully selecting non-suspect participants in lineups (fillers) who match the description of the perpetrator to ensure fairness.

- **Comprehensive Instructions:** Providing witnesses with clear and neutral instructions that emphasize the importance of accurate identification. For example, noting that the suspect may or may not be present in the line-up.
- **Documenting Identifications:** Meticulously recording the witness's confidence statement and the conditions of the identification process to maintain a clear and traceable record.

The review of actual cases and investigations confirmed that the Canton PD's policies were clearly documented and effectively implemented. For example, in cases where a suspect was identified by an eyewitness, the documentation showed consistent adherence to the policy, preserving both the validity of the identification and the protections against wrongful conviction.

Overall, the Audit Team found Canton PD was in compliance with evidence-based practices and prioritized safeguarding the rights of individuals involved in criminal investigations. A commitment to procedural rigor and ethical standards not only helps in convicting the guilty, but more importantly in protecting the innocent, thereby upholding the fundamental principles of justice.

RECOMMENDATIONS

None.

D. Testifying

Based on the review of the Canton PD policy 1.11 “Testifying in Court,” which was revised on January 1, 2024, the Audit Team noted the Canton PD practices adhere to the professional standards and expectations when testifying in court.

Presenting evidence in court is a crucial step in a criminal case, marking the culmination of police efforts. The effectiveness of this presentation hinges largely on the competency of the officer testifying. No matter how thorough the investigative work leading up to the court appearance, a weak, incomplete, or unsatisfactory testimony can undermine it all. The court evaluates not just the quality and quantity of the evidence, but also how it is delivered. The officer's demeanor, appearance, attitude, and ability to articulate clearly can heavily impact the credibility of their testimony, shaping the trial's outcome significantly. Despite personal investment in a case, officers must strive to present facts objectively during testimony. It is paramount to avoid both downplaying and exaggerating circumstances to maintain impartiality.

Navigating the legal complexities of criminal investigations and prosecutions demands collaboration between police and prosecutors. Each party contributes unique skills to the prosecution team, with police relying on prosecutors for legal expertise and prosecutors relying on police for investigative expertise. Trials serve as a learning opportunity for police officers, allowing them to refine their skills and their approach to future cases.

RECOMMENDATIONS

The Audit Team has certified that the Canton PD policy regarding court testimony is clear and encompasses the requirements for successfully testifying at trial. In alignment with best standard practices, paragraph 5, Canton PD policy 1.11 which states:

“Every court appearance should be a learning experience for a police officer. After every trial, especially if the case is lost, the officer(s) should go over their testimony and the evidence with the prosecutor and any other officers that were involved to learn further about the strengths and weaknesses in the case so as to improve the prosecution of the next case. Any objections or points of law that were raised during the trial that the officer does not understand should be clarified.”

With that directive as guidance, the Audit Team recommends:

Training on Testimony Clarity

Our team recommends training to improve officer skills in understanding questions during testimony. Accurately and professionally answering questions establishes credibility and clarity for the officer and the information presented by the prosecution team. Additionally, professionalism in testimony limits the cross-examination parameters of the defense.

Handling Disagreements Professionally

Officers should understand it is ok to disagree with counsel and it can be accomplished without being confrontational. This includes understanding how to maintain composure and professionalism, even if the questioning becomes challenging, personal and contentious.

Identifying Assumed Truths

Training should include techniques for identifying and addressing assumed truths within questions. This skill helps officers provide accurate and precise answers, ensuring that their testimony remains consistent and credible.

Exposure to High-Profile Cases

Given the challenges that arise from limited exposure to high-profile cases, Canton PD should consider mock trials or role-playing exercises, in conjunction with the District Attorney's (DA) Office, as part of their training to simulate the pressure and the delivery of accurate testimony.

Continuous Skill Development

Regular workshops and refresher courses could be implemented to ensure officers remain up to date with best practices and case law in courtroom testimony. Training sessions can be conducted in conjunction with the prosecutor's office and administered with limited expense.

By focusing on these areas, the Canton PD can enhance the effectiveness and reliability of its officers' testimonies, particularly in high-stakes legal environments.

E. Mental Health

The audit of the Canton PD mental health policy highlighted the successful implementation of a system identified as the Canton Co-Response Jail Diversion Program. This program effectively addresses individuals experiencing mental health and substance abuse issues and provides care, direction and guidance to the family without law enforcement intervention. Key proactive measures, which were led by Canton PD Chief Rafferty and Deputy Chief Patricia Sherill, have produced significant improvements in the handling of mental health cases.

Proactive Steps and Achievements

Identification of Needs:

- From 2020 to 2022, Canton PD responded to over 400 mental health-related calls and over 200 substance abuse-related calls, indicating a need for specialized support.
- Chief Rafferty and her team recognized the trend and subsequent need for a dedicated Mental Health Professional (MHP).

Funding and Implementation:

- In December 2022, Canton PD successfully secured a grant from the Massachusetts Department of Mental Health for a Mental Health Professional (MHP) position.
- The MHP works closely with officers, responding to calls and offering on-site mental health services to the Canton community.

Response and Effectiveness:

- On average, the Canton PD and the MHP respond to around 40 calls per month, with the highest volume of calls occurring during evening shifts.
- The MHP aids in de-escalating situations, provides immediate support, and reduces the necessity for legal actions.
- Regular follow-ups and referrals to community-based services lower the likelihood of repeat police interactions.

Training and Collaboration:

- The MHP provides training and shares valuable insights that preempt potential crises through collaboration with hospitals, churches, and recovery groups.
- Knowledge shared with Canton PD officers enhances their response and documentation skills, aiding in mental health intervention.

Internal Benefits:

- Canton PD officers recognize the MHP's value in efficiently handling mental health calls. Interviews revealed unanimous sentiment that the Canton PD MHP is one of the most valuable assets within the department.
- Though the MHP does not provide counseling, the MHP will guide officers to an appropriate personal mental health professional and appropriate resources to meet their personal needs.

Sustainability Concerns:

- Although Canton PD secured initial funding to hire a full-time MHP, funding delays from the DOJ highlight potential sustainability issues.

The Canton PD’s initiative to incorporate a full time MHP resulted in a valuable community asset in managing the growing number of mental health crises. The presence of a MHP effectively decreases the reliance on law enforcement actions, presents an on-site resource for the families of the affected and fosters a collaborative environment between law enforcement and community resources. The ongoing challenge remains securing consistent funding for the full-time MHP position to ensure continued support and improvements within the department and the community.

RECOMMENDATIONS

Budget allocations should be considered by the town of Canton leadership. Canton PD should work with town officials at various levels to secure funding for the full-time MHP position should the grant no longer be available. The loss of this position could create a significant negative impact on the Town of Canton and surrounding communities.

F. Handling of Juveniles

The Audit Team found the departmental attitude as it relates to the handling of juveniles to be consistent with the mental health policy of the Canton PD. The Canton PD command staff realizes that officers of the Canton PD must have a basic understanding of the social and psychological factors that contribute to juvenile behavior and further be familiar with societal conditions that can contribute to juvenile delinquency.

Canton PD Policy No.1.12 “Handling of Juveniles” aligns with all requirements as set forth in CALEA Standards 41.4.4 / 44.4.5 / 42.2.0 / 44.1.1 / 44.1.2 / 44.2.1 / 44.2.2 / 44.2.3 / 44.2.4 / 44.2.5 / 82.1.1 / 82.1.2 and 82.3.5. Further, these Canton PD procedures and guidelines for the handling, arresting, and detention of juveniles follow the best standards and practices in the profession. Below is a summary highlighting the key points in the Canton PD policy emphasized by Canton PD leadership.

Key Policy Areas Reviewed

Juvenile Definition and Arrest Overview

- **Juvenile Age:** Defined as anyone under 18 years.
- **Under 12 Years:** Cannot be charged with a crime.
- **Ages 12 to 18:** Preferred method to bring juveniles to court is via summons unless there is a good standing belief they will not appear.
- **Arrest Warrants:** Issued if there is reason to believe the juvenile will not respond to a summons, has not appeared as summoned, or violated probation terms.

Handling of Juveniles

- **Designated Officer for Juvenile Matters:** Typically, this is the School Resource Officer (SRO) who is trained in juvenile justice and stays updated with laws and handling directives.
- **Diversions Programs:** The SRO is knowledgeable about- and can direct intervention programs for juvenile offenders.
- **Responsibility Sharing:** All department personnel must support juvenile operations.

Enforcement Alternatives

- **Considerations:** Nature of the offense, juvenile's age, prior police contacts, community rehabilitation program availability, and complainant/victim recommendations.
- **Alternatives:**
 - Release with no action or informal counseling.
 - Referral to community social services.
 - Limited custody with station house warning.
 - Citation, summons, or complaint.
 - Referral to juvenile court.

Juvenile Arrest and Detention Guidelines

- **Supervision:** Notify patrol supervisor.
- **Rights:** Advise juveniles of their constitutional rights using a Miranda Form specifically for juveniles.
- **Transport:** To be done without unnecessary delay.
- **Notification:** Inform parents/guardians promptly.
- **Documentation:** Complete a detailed report of the juvenile process.
- **Right to Counsel:** Ensured at every stage.
- **Constitutional Rights:** Not lost due to age; greater protection during questioning and rights waiver.

Special Detention and Interrogation Considerations

- **Cell Holding Use:** No secure custody for juveniles under 14 years of age. Secure custody can involve detention cells, locked rooms, or handcuffing juvenile defendants to stationary objects.
- **Supervision:** Constant supervision required for juveniles in detention.
- **Separation from Adults:** Juveniles must be separated from adult detainees by sight and sound.
- **Interrogation:** Interrogations are conducted with limited officer presence, preferably with Family Services Unit involvement, and frequently scheduled breaks.

Supervisor's Role During Juvenile Arrests

- **Parental Notification:** Ensure at least one (1) parent or legal guardian is informed.
- **Cause Inquiry:** Confirm proper cause for arrest and legal treatment compliance.
- **Release Decision:** Evaluate the release without a warrant.
- **Bail Magistrate Notification:** In case of detention.
- **Agency Notification:** Inform relevant agencies if the juvenile is in their custody.

RECOMMENDATIONS

The guidelines reflect Canton PD's emphasis on minimizing coercive actions and ensuring the protection and rights of juveniles during their interactions with law enforcement. Careful attention is paid to the specifics of juvenile detention, rights advisement, and the appropriate handling of each case to align with legal and departmental standards. Based upon the serious nature of handling juvenile offenders properly, we recommend that the Canton PD institute an annual training be attended by all sworn personnel concerning the handling of juvenile offenders. It is further recommended that officers certify that they have read and understood the corresponding policies related to the same.

G. Community Relations

The Audit Team reviewed Canton PD's Community Relations policy as described in the rules and regulations Section 1.17. The policy is in alignment with CALEA Standards 45.2.1 and emphasizes the importance of an ongoing Community Relations Program to ensure effective communication between the Canton PD and Canton citizens regarding department activities. The goal of a Community Relations Program is to involve the public in problem solving and planning in cooperation with the department. Specific points of consideration include the public perspective on new and old Canton PD programs as well as alternatives to ineffective or unproductive policing practices.

The policy allows Canton PD to retain a position for a Community Relations Officer to serve as a liaison between the Department and the community with the goal of identifying community concerns. During Supervisor Staff Meetings, the Chief of Police will request information on current community concerns, potential problems they have with law enforcement activities, and recommended actions addressing previously identified concerns. Canton PD officers are required to report any public concerns of urgent nature to their immediate supervisor upon gaining knowledge of the situation. Such situations include potential racial unrest, potential labor/management conflicts that could result in violence, etc. The information shall be passed to the Chief of Police who will develop a plan for an appropriate response. The Chief of Police will seek feedback from the Community Relations Officer annually regarding overall department performance, overall competence of the department, officers' attitude and behavior toward citizens, concern over safety and security within the community, and any recommendations or suggestions.

RECOMMENDATIONS

Considering the current political climate and the current state of the public's trust in the Canton PD, any adaptations to this policy should be conducted as a joint effort by the Canton PD administration and Town Selectman.

H. Hit & Run Investigations

The Audit Team conducted a review of Canton PD's Hit and Run Investigations policy in section 1.19 of the rules and regulations. The policy states the objective of a hit and run investigation is to determine responsibility for the collision and to identify both the offender and the vehicle involved. The policy directs duties for both on-scene response and follow-up investigation following a hit and run incident.

Key Policy Areas Reviewed

On-Scene Duties:

- The policy states that officers responding to a hit and run should first make provisions for the medical treatment of the victim if necessary. The officers must follow-up on the condition of the victim after he/she is transported to the hospital to ensure appropriate charges are filed, including motor vehicle homicide if it appears the victim may die or has died.
- Officers should obtain the best possible description of the operator and the vehicle from the victim and witnesses. Important observations include vehicle make, model, year, color, extent and location of damage, license plate (including partial numbers or letters), unusual markings or equipment, direction of travel before/after the collision, number of passengers, if any, and their descriptions.
- Any descriptive information obtained shall immediately be communicated to the dispatching officer.
- Officers should search the area around the scene of the crash including the automobile (or pedestrian) which was struck for physical evidence.

[Note: The policy makes a point to note that in the event a pedestrian is struck and injured, the officer should ask the hospital, if possible, to secure any such evidence which may have been dislodged from the victim's clothing during transport. Further, officers should request hospital personnel give the victim's clothing and any associated paint chips or glass fragments to police].

- Photographs and measurements should be taken at the scene when required at the direction of the Shift Supervisor or detective on scene. Officers should examine the person and the clothing of the victim for evidence, particularly for traces of the vehicle. If necessary, an officer may take and preserve articles of clothing or other samples of evidence such as hair, blood, etc.
- Officers should be observant for potential persons to be interviewed in the area of the scene. Where appropriate, officers should conduct a door-to-door canvas of residences and businesses in the vicinity of the hit and run scene.
- A preliminary search for the suspect car and driver should be conducted as soon as possible. Notification of subject and vehicle descriptions should be made to all police on patrol, State Police and adjacent police departments via the BAPER network. If motor vehicle homicide charges are being considered, the Chief, or the Chief's designee, may decide to contact the media to enlist the public to aid in locating the suspect vehicle and driver.
- If a reasonable effort to apprehend the offender is unsuccessful, officers should communicate such to dispatch and return to regular patrol duty unless directed otherwise by the proper authority.

Follow-up Investigation Protocol:

The policy states that an in-depth or follow-up investigation should be conducted upon the direction of the Detective Sergeant.

The follow-up investigation, if any, should include the following types of activity: records checks for stolen vehicles, communication of relative information regarding the vehicle and driver to nearby departments, a second search of the accident scene covering a wider area, repeated visits to- and surveillance of the scene at the same time of day during which the accident occurred, and visits to local establishments where a vehicle may be located for service (car washes, auto shops, etc.).

- If the vehicle involved in the accident is located, it should be carefully examined. Specifically:
 - Dents and body damage should be measured as to width, depth and pattern. Photographs should be taken if possible.
 - Obtain samples of paint chips, broken glass, pieces of clothing, dirt, evidence of blood, hair, flesh, etc.
 - Inspect the interior for personal articles which may identify the offender.
 - Observe and note any signs of recent repair or any broken or missing parts.

[Note: The policy is careful to note that the above steps should be taken in accordance with departmental policy and procedure. In the event a search warrant is sought, the vehicle should be kept under surveillance until a warrant is obtained. The identity of any person attempting to enter the vehicle or destroy evidence should be established.]

- If the operator of the suspect vehicle is located, he/she should be questioned promptly, following Miranda procedures if applicable.

Finally, the policy requires that any hit and run accident reported with personal injury, with a suspect, or with damage of approximately one thousand dollars (\$1,000) or more, must be followed up with a full and complete report, including details about the accident and the particulars of any follow-up investigation.

Findings

The relationship of this policy as it relates to the events of 34 Fairview Road is relevant only through hindsight. At the time of the Canton PD response to 34 Fairview Road and the discovery of Boston Police Officer John O’Keefe, the Canton PD did not know they were responding to the scene of an alleged Hit and Run. The call for police came in as a complainant reporting an unconscious male discovered in the snow. Canton PD initially prepared for an unattended death, and subsequent investigation by the MSP.

RECOMMENDATIONS

Follow the policies within Canton PD manual as appropriate to Hit and Run scenes.

I. Motor Vehicle Citations

The Motor Vehicle Citations policy is detailed in Section 1.23 of the Canton PD policy guidelines and references CALEA Standards 61.1.2 / 61.1.4 / 82.2.5 and 82.3.3. The Canton PD uses the Massachusetts Motor Vehicle Citation form and the Motor Vehicle Automated Citations and Crash System (MACCS), otherwise known as “E-Citations,” to record motorist violations. Citations are the method used to formally notify the violator, the courts, and the Registry of Motor Vehicles that a violation has been committed by the person named.

Canton PD officers have discretion as to what type of citation to issue a violator within the parameters of Canton PD policy. The policy provides guidelines for issuing a citation to ensure officer actions are in line with applicable laws and clearly prohibits an officer from justifying a stop or seizure of an individual through racial, age, gender, or other type of profiling. Five (5) general categories of enforcement actions are noted: a written warning, civil citation, criminal complaint, verbal warning, and physical arrest. Section 1.23 provides specific procedures to be followed with respect to each enforcement action.

The Motor Vehicle Citations policy requires officers to provide the violator with a copy of the citation in some form. Officers are required to provide a copy in person as a primary option, but if the circumstances are such that he cannot do so, he must provide a copy by mail. Officers are strongly encouraged to retain copies of any citations issued for their own records for a minimum of one (1) year from the Date of Issuance. Prior to the end of a shift, officers must place any citations issued into the appropriate secure citation box. In the event a citation results in a criminal complaint or arrest, the officer must file a complete report and fill out an Application for Complaint form according to procedures. Both must be provided to the local Prosecutor through the Prosecutor’s box.

The Chief’s Administrative Assistant is responsible for removing any written citation copies from the citation box daily, excluding weekends. Standard procedures for processing and notifications are stipulated within the policy for three (3) categories of citations: written warnings, non-criminal citations, and criminal traffic complaint and arrest reports.

All un-issued motor vehicle citation books shall be stored in the dispatch room and are accounted for using “sign-out” logs. If an officer needs to “void” a citation, a written explanation as to why will be forwarded to the on-duty Lieutenant.

Overall, the policy sets forth clear guidelines and procedures for issuing and documenting citations. There are defined procedures for tracking and managing issued citations as well – from initial citation to turnover to a prosecuting party if necessary.

RECOMMENDATIONS

None.

J. Protective Custody

The Audit Team conducted a review of Protective Custody of Incapacitated Person(s) policy in Section 1.24 of the rules and regulations. The Canton PD policy aligns with CALEA Standards 44.2.2 / 72.5.1 and 72.7.1. The goal of the policy is to ensure officers can appropriately recognize an incapacitated person and ensure they are taken into protective custody as needed. Canton PD policy acknowledges that alcoholism is recognized as a disease and public intoxication is not a crime. Massachusetts law M.G.L.C. 111B guarantees detoxification facilities for persons suffering from alcoholism and protective custody for persons incapacitated from consumption of alcohol or controlled substances.

The policy makes clear that a person taken into protective custody is not considered to have been arrested or charged with a crime. However, the stipulations of 111B does not negate criminal responsibility for offenses related to driving under the influence, etc. To ensure clarity in the guidelines, formal definitions of “alcoholism,” “facility,” and “incapacitated” are detailed within the policy.

In situations where action is necessary, but there is no criminal activity, Canton PD officers are permitted to assist an incapacitated person, with or without their consent, to his/her residence, a treatment facility, or the police station. The officer is to place the person in protective custody to transport the person to the appropriate facility immediately.

In regard to handling of incapacitated persons, the policy provides guidelines for search and transport, the safeguarding of their wellbeing at the station, circumstances surrounding release, and reports documenting relevant information. The guidelines note Massachusetts Law requirements throughout, and tailor the policy directives to ensure adherence to the relevant laws. The policy instructs officers on when to seek medical assistance based on the condition of the incapacitated person.

Officers may request a person to submit to standard field sobriety tests to determine whether the person is intoxicated but cannot force them to submit to tests. The policy notes any incapacitated person assisted to the police station shall have the right to submit to a breathalyzer test and be informed of said right in writing. Detailed within the policy is a template for the notice of rights required by law.

Overall, the policy clearly defines protocol for dealing with incapacitated persons in a manner that prioritizes citizen safety.

RECOMMENDATIONS

None.

K. Telephone and Radio Use Including Personal Cell Phone

The Audit Team conducted a comprehensive review of the regulations and policies concerning telephone, radio, and personal cell phone usage within the department.

According to Section 2.12 of the rules and regulations it is mandated that all employees, specifically officers, must possess a cellphone through which the department can reach them. Any changes to their contact numbers must be promptly reported. The Audit Team confirmed that the use of personal cell phones by Canton PD officers at crime scenes is permitted only as a last resort under the current policy. When personal phones are used in such instances, they are subject to potential seizure as evidence. Officers should opt to use department-issued tablets, laptops, or digital cameras when at crime scenes instead of personal devices.

The primary mode of communication for officers receiving radio calls is through the Canton PD radio system, a computer-based platform containing multiple channels that enable simultaneous communication between officers on different channels. This system is operational 24/7 and allows officers to communicate with dispatch, other officers within their patrol, counterparts from Fire Rescue and neighboring police departments. Handheld radios with attachments are utilized when officers are away from their patrol cars.

A thorough examination of the system monitoring logs spanning from 2020 to 2024 revealed no significant issues or outages concerning the radio system. The Town of Canton has enlisted the expertise of a telecommunications systems specialist, referred to as the resident IT specialist, responsible for troubleshooting, maintaining, and overseeing the radio equipment, mobile data components, and communication radio rooms. The specialist adheres to a preventive maintenance approach, conducting routine inspections, repairs as necessary, and ensures the regular upkeep of portable radios. It remains unclear whether the repairs are handled in-house.

The Audit Team conducted an inventory of all portable radios and found that all radios were properly accounted for in inventory.

During the interviews with sworn officers, the Audit Team discovered that the Town of Canton has several areas within the city limits where the portable radios do not have any reception or transmission capabilities. These areas specifically, along Washington and Neponset streets, are in the center of town. Lack of reliable communications in these areas creates a serious safety concern.

RECOMMENDATIONS

The Audit Team recommends that the use of personally owned cell phones to conduct official police business be prohibited immediately. The Audit Team further recommends the issuance of department owned cell phones to all sworn officers. If it is not financially feasible to issue all sworn officers a cellular phone, phones should be issued to officers of the rank of sergeant or higher. Phones for patrol officer use could be issued to the department and signed out at the beginning of each shift. Another option is to purchase individual phones to be assigned to each

patrol car. Under no circumstances should a sworn officer use his or her personal phone for police business.

The areas that do not provide reception or transmission capabilities for the portable radios must be addressed. This is a serious safety concern for the officers and could place the town in a legally liable situation should the officers fail to have radio communications. A failure in communications could result in injury to the officers or the inability to radio for medical services for a member of the community. Multiple officers notified the Audit Team that they were concerned about the portable radios not working properly in certain areas of the town. The Audit Team spoke with the Information Technology Specialist who is aware of the issues.

L. CEO Notification

The CEO Notification Policy for the Canton PD (Policy No.1.31) outlines a structured process for reporting certain incidents, ensuring that relevant parties within the department are informed promptly about critical situations. Below is a summary of the key points.

Key Policy Areas Reviewed

Purpose

The policy aims to facilitate a coordinated response to issues and ensure that information about significant events is shared with command and appropriate administrative level supervisors, especially outside normal business hours.

Notification Process:

- **General Protocol:** Department members must report incidents through their chain of command. The Deputy Chief has the authority to report directly to the Chief of Police.
- **Immediate Notification:** The Chief must be notified immediately for serious incidents, including:
 - Severe personal injury, death, or potential death
 - Major events like civil disorders or power outages
 - Mass casualty incidents
 - Hostage situations
 - Missing juvenile cases
 - Serious injury or arrest of a Canton PD employee
 - Incidents at local schools
 - In-house custody attempted suicides
 - Home invasions
 - Crimes involving firearms
- **Later Notification:** For less urgent incidents, notification to the Chief can be delayed:
 - Arrest of other municipal employees
 - Sexual assaults
 - Psychiatric or medical incidents involving violence
 - Active building fires
 - Civil rights violations
 - Suicide attempts
 - Events likely to attract press inquiries

Responsibilities:

The highest-ranking officer on duty is responsible for making the necessary notifications, ensuring the last on-duty Lieutenant and the Deputy Chief are informed as well. In the Chief’s absence, the Deputy Chief acts as the Acting Chief.

Written Reports:

All incidents requiring notification also require a written report to be forwarded to the Chief of Police as soon as possible after completion. This policy ensures that critical incidents are handled with appropriate urgency and communicated effectively within the department.

RECOMMENDATIONS

While the Canton PD is following CALEA Standards 11.4.4 and Canton PD officers follow departmental policy, given the political climate of the town and considering the size of the department, we recommend the Deputy Chiefs and the Chief be immediately notified of all significant events listed above including those events that allow for delayed notification.

M. Communications Standards of Conduct

Upon reviewing the Canton PD policy No. 1.32, “Communications and Standards Conduct Policy”, the Audit Team found the directives to be clear, concise and in alignment with CALEA Standards 41.3.7 / 81.1.2 / 81.2.2 / 81.2.3 / 81.2.4 and 81.2.10. Additionally, it was noted that the majority of officers are compliant with the policy guidelines. The departmental communication policy states that all employees must promptly, accurately, and comprehensively transmit official communications to other officers and promptly notify their Officer-In-Charge of any critical police-related matters. Additionally, they are required to inform relieving officers of any unresolved or potential issues for the next shift.

The Audit Team found that officers are generally consistent in adhering to communications procedures, accurately conveying information, promptly notifying supervisors of significant police matters or calls requiring their attention and utilizing roll calls to disseminate important updates related to police activities. The protocols to accomplish this are in place, clearly conveyed and understood, though there have been a few recent failures regarding this policy.

Findings

A notable incident occurred in 2024 when a veteran Canton PD police officer failed to notify supervisors about a restraining order situation at an early childhood education center in Canton, leading to a child abduction incident. Despite being informed by school representatives, the officer did not communicate this critical information to his superiors or patrol officers. Consequently, the child was abducted by the subject of the restraining order. Canton PD immediately responded to the abduction, issued a statewide alert, and collaborated with law enforcement in Pawtucket, R.I., to apprehend the perpetrator. Chief

Rafferty took appropriate action by suspending the officer for three (3) days due to the failure to comply with departmental policies and procedures on departmental communications.

In conclusion, while most officers at Canton PD adhere to communication protocols, the incident underscores the consequences of non-compliance with the department's policies and the importance of timely and accurate communication in law enforcement operations.

Actions Taken

Chief Rafferty, recognizing the failure to adhere to the communications policy, enforced disciplinary action against the officer in question, resulting in a three (3)-day suspension.

- The policy violation had the serious consequence of a delayed response to a child abduction incident. This highlights the importance of adherence to policy.
- Chief Rafferty's immediate internal actions:
 - Corrected the behavior of the employee in question.
 - Demonstrated to the department that failure to adhere to departmental policy will not be tolerated.

Consequences and Resolution

- Despite the initial failure in communication, the Canton PD responded effectively once the issue was known, resulting in a BOLO and successful coordination with other law enforcement authorities to apprehend the subject.
- Despite the failure of an individual officer, Chief Rafferty and the departmental leadership acted quickly and decisively performing their functions effectively and returning the child safely while also apprehending the subject.

Implications for Future Conduct

The results of the audit and the above-mentioned incident can be used for training and practical improvements within the department.

Additional emphasis is recommended regarding the vital role of communication in preventing similar incidents.

RECOMMENDATIONS

Review and Reinforce Policies

Continuous education on the importance of communication practices should be implemented to prevent similar lapses in the future. Consider hiring full-time dispatchers to work alongside officers to take emergency calls and non-emergency calls, evaluate other service needs, and to dispatch officers for calls for service.

Incident Analysis

The specific breakdown in communication should be analyzed to understand why the officer failed to act according to policy and to improve training and protocols accordingly.

Strengthen Accountability Measures

Ensure clear consequences for not following policy to reinforce the seriousness of compliance.

Monitor Effectiveness of Reforms

Post-incident evaluations should be conducted to assess the effectiveness of any implemented changes after such an event.

Enhance Support Systems

Consider additional support or backup systems to prevent single points of failure in communications, perhaps through technological means or by ensuring multiple people are made aware of critical information as it occurs, limiting the possibility of a communication failure.

It is essential that the policies, such as No 1.32, are not only well written, but are effectively communicated, understood, and followed by all members of the police department to maintain high standards of community safety and trust.

N. Command Protocol and Order of Precedence

The Audit Team conducted a comprehensive review of the regulations and policies concerning command protocol and order of precedence, specifically the Command Protocol and Order of Precedence in Section 1.34 of the rules and regulations. The policy aims to establish a clear chain of communication and authority within the department and regulations and aligns with CALEA Standards 11.2.1 / 11.3.2 / 11.3.1 and 12.1.2.

Key Policy Areas Reviewed

According to Section 1.34, it is mandated that the designated chain of command be used in all internal communications and the established order of command precedence shall be adhered to by officers. The policy differentiates reporting requirements during field situations, administrative and routine situations, and exceptional situations. In *field situations*, the command protocol is in the order as follows:

1. Chief of Police
2. Deputy Chief
3. Lieutenant (on shift or just coming off shift)
4. Shift Sergeant
5. Senior Police Officer
6. Police Officer
7. Probationary Police Officer

In *administrative and routine situations*, the command protocol is in the order as follows:

1. Chief of Police
2. Deputy Chief
3. Lieutenant (on shift or just coming off shift)
4. Sergeant
5. Senior Police Officer
6. Police Officer
7. Probationary Police Officer

The policy provides for circumstances where the Chief of Police is absent, thereby allowing the Deputy Chief to act in his/her capacity with authority to carry out day-to-day operations of the department. In emergency situations where the Chief of Police and Deputy Chief are unavailable, the Lieutenant on shift will be in charge.

Section 1.34 notes that each employee is accountable to only (1) supervisor at a given time and shall be delegated authority commensurate with their responsibilities. Employees are responsible for activities within their delegated authority and Supervisory personnel are accountable for the activities and performances of personnel under their immediate control.

In exceptional situations, such as civil disturbances, hostage situations and other critical incidents, the Incident Commander under ICS protocol will be in command. The policy cites the “All Hazards Plan” as the guideline for exceptional situations. Guidelines exist within the policy to ensure there are no conflicting leadership circumstances. The policy provides protocols for command in exceptional circumstances, including instances when multiple supervisors are involved in an operation, or where command may be relinquished to an officer of lesser rank with specialized training or expertise.

These protocols are clearly defined and followed within the Canton PD. It is impossible to predict or outline situations which would justify deviation from this policy.

RECOMMENDATIONS

None.

O. Dispatch Functions

The Audit Team reviewed the Dispatch Functions Policy, No 4.22. This review and analysis of the dispatch functions policy shows it followed and aligned with the requirements as outlined in the CALEA Standards 81.3.1 and 81.3.2. This policy highlights the procedures and protocols in place for handling emergency and non-emergency calls, accessing the dispatch center, protecting equipment, handling 911 calls, backup resources, and external monitoring.

In 2024, Canton PD responded to a total of 9,108 calls for service with an average response time of around five (5) minutes. All incoming calls are automatically logged in an electronic system that captures important details such as caller ID, location, nature of the issue, units dispatched, outcomes, and timestamps with corresponding comments for each step. The department operates with two (2) radio systems: a primary system for dispatching units and logging all radio and call center activities, and a secondary system primarily used as a backup, or for direct communication with neighboring towns. As a 911 emergency response center serving multiple surrounding towns, there is a protocol in place to divert overflow emergency calls to the independent 911 call center operated by the Sharon Police Department.

Currently, the Canton PD utilizes a free 911 recording service to archive radio communications, with an agreement set to expire in two (2) years (2027). The department is preparing to incur costs for storing communications and videos once the current agreement ends. Currently, recordings are retained for 12 hardlines within the police station, but there are plans to expand this to include recordings from all hardlines after the new contract is in place.

Key Points of Note

- The Canton PD uses full-time police officers as dispatchers and has a computer-aided dispatch system in place.
- Officers rotate assignments to dispatch in their regular shift rotation.
- Access to the dispatch center is restricted to specific personnel to minimize distractions and ensure operability.
- Essential communications equipment is securely stored and accessible only to authorized personnel.
- The department handles a significant volume of calls for service with an average response time of approximately five (5) minutes. The time is largely dependent on the location of the request and the officer in that sector, or at the nearest location.
- There are backup radio systems in place for communication redundancy.
- Retention of recordings and communication data is a priority for the department, including a plan to build out future storage.
- Backup resources and power supplies are available to ensure continuous operation in case of emergencies and power outages.
- The department chose not to join a regional dispatch center due to concerns about effectiveness, maintenance costs, and potential risks to citizen safety with response times being dramatically increased. This decision was made based on the findings that the regional center would not be as efficient as the current setup.

In January of 2025, the Audit Team reviewed the results compiled by “The Commonwealth of Massachusetts Executive Office of Public Safety and Security, State 911 Department,” for the function of the Canton PD dispatch and 911 capabilities. The report was compiled and authored by Ms. Monna Wallace, Director of Programs, and recorded the testing results between the dates of July 1, 2024, and December 17, 2024. The testing was random and conducted without the knowledge of the department. Multiple tests could occur on one day and on consecutive days. On August 5, 2024, the department was tested multiple times in both the morning and evening hours and tested again on consecutive days in early September of 2024. The Canton PD Dispatch was tested on 34 occasions and passed each test.

RECOMMENDATIONS

The audit report indicates that no onsite corrections were reported, which suggests that the department’s communication center is operating according to established policies and procedures. Overall, the information reviewed reflected a thorough examination of the Dispatch and Radio Call Center operations and highlights areas of strength and areas for potential improvement or future planning.

Data Retention

It is essential to address data retention: The department currently retains recordings of communications from various sources, including hardlines, radios, security cameras, booking rooms, cell recordings, and 911 calls. It is important to prepare for the upcoming expiration of the free recording service agreement and plan for the retention of these recordings in the future to avoid data loss.

Civilian Dispatchers

Additionally, as will be mentioned in *Section 4: Organizational Structure and Governance*, the Audit Team recommends the addition of civilian dispatchers to work alongside the officers. Currently, a sergeant and patrolmen are assigned to work the dispatch on each shift. The sergeant should be rotated onto the patrol shift as a fifth vehicle for the day and evening shifts, and as a fourth vehicle on the overnight shift. The civilian dispatcher can handle the majority of calls while referencing the institutional knowledge of the sworn officer.

Based upon the Audit Team review of call volume, two (2) civilian dispatchers should be hired and assigned to work radio communications in the evening, allowing for the sworn officer to serve as a fourth patrol unit. This would also align the patrol sectors to match the day and evening rotations providing the greatest services to the citizens of Canton. *[Note A patrol officer should still be assigned to dispatch along with a dispatcher to handle walk-in complaints, and be available for arrested subjects who are housed overnight at Canton PD.]*

P. Field Reporting

The Audit Team reviewed the Field Reporting System as documented under Canton PD policy No. 1.36. This policy provides guidelines for creating various types of reports, standards for completing them, and processes for review and submission. The initial Implementation of this policy was February 5, 2015, and it was updated in 2017, 2020 and in January 2023. The policy and all updates meet the CALEA Standards 82.2.1 and 82.2.4 as written.

Officers can write reports for virtually any scenario that requires documentation. The decision to document an incident cannot always be dictated by policy and requires the discretion of both the officer and the officer's supervisor.

Basic Types of Reports and their Requirements

- **Incident Reports:** Needed for certain police responses, some requiring detailed narratives. This classification is used as a catch-all and can document everything from a response to a call, to the observation of an officer.
- **Arrest Reports:** Generated by the personnel responsible for or participating in the arrest of an individual and documenting the “who, what, when, where and why” elements of the arrest.
- **Complaint Applications:** Filed when criminal charges are pursued. Must follow the assignment of an Arrest Report number and completion of an Arrest Report.
- **Motor Vehicle Crash Reports:** Required under defined situations.
- **Field Interview Reports:** Created and updated as necessary and covers both witnesses and suspects.
- **Citation Entry:** Required for issuing any motor vehicle citations.

All relevant details pertaining to any incident with Canton PD involvement must be accurately documented in the appropriate sections of the report, encompassing information about suspects, victims, witnesses, offenses, addresses, vehicles, and property, among others. The report narrative and its fields must address the following: who, what, when, where, how, and why (if known). The narrative should provide a thorough account of the incident along with the actions taken or planned by the responding personnel. It is crucial that the report narratives are clear, succinct, and factual, with information presented in a logical and chronological manner. Errors in spelling, grammar, and sentence structure must be avoided, and simple language should be used when necessary.

The responding officer is responsible for entering all details into the appropriate report upon completion of the activity, or when time allows. Reports, regarding incidents, arrests, citations, accidents, or field interviews, are to be finalized before the end of a shift, unless authorized by a supervisor for completion at a later time. In such cases, the CAD narrative should contain sufficient information about the incident until the full report is completed. All reports must be submitted to the shift supervisor for approval.

Supplemental narrative reports are to be submitted by an officer when further explanation or elaboration on information from the initial field report is required. These reports can be filed by the initial officer, the Canton PD's Field-Reporting System supervisor, an assigned investigator, or additional responding officers. They not only serve to provide more detailed narratives, but also to include confidential

information that was not part of the initial report, such as investigative leads or unsubstantiated details that could aid investigations. Supplemental reports should undergo the same review process as outlined above.

RECOMMENDATIONS

In line with the recommendations made in the interrogation and witness interviews section, the Audit Team recommends Canton PD must standardize their report writing requirements and institute a required format with minimum standards and expectations. While not all reports will address the same areas, a consistent format should be implemented for reports reflecting consistency, regardless of the report's author and that author's position (Patrolman, Sergeant, Detective, etc.). Fields that are not applicable can be marked as such. Uniformity and consistency are required in report writing to establish and manage expectations and ensure completeness in reporting.

As an example, all arrest reports should contain a section entitled "Use of Force." Considering the statistics provided in this report, we know that 90% of the Canton PD's arrests did not involve use of force. Statistically speaking, in 90% of the reports the recommended "Use of Force" section would read, "Use of Force: None." Documenting a negative in this situation is very important because it hinders a defendant or the defendant's attorney from later claiming that an improper use of force was used while affecting the arrest. Consistent and complete documentation to include negatives leads to greater credibility when testifying and minimizes questions regarding content.

Q. Legal Process

The Audit Team reviewed the Canton PD's Legal Process policy as well as the Canton PD's adherence thereto. The Legal Process policy, detailed in the Canton PD rules and regulations No. 1.38, outlines the procedures for appropriately handling legal processes and aligns with CALEA Standards 74.1.1 / 74.1.2 / 74.1.3 / 74.2.1 / 74.3.1 / 74.3.2 and 74.4.1.

Key Policy Areas Reviewed

Canton PD Policy No. 1.38 defines criminal processes to include summonses, subpoenas, arrest warrants, and search warrants issued by a Court of Law within the Commonwealth and civil processes to include abuse prevention, harassment prevention or other orders issued by Massachusetts District Courts, Family Courts and Probate Courts. The policy specifies procedures for execution of legal processes and documentation thereof, including the following:

- Any arrests made on a warrant must be supported by documentation that some agency has the warrant in its possession, and that to the best of their knowledge it is still in effect or that the warrant is active in the Warrant management System.

- No officer shall make an arrest on a warrant unless he/she confirms the present status of the warrant immediately before making the arrest.
- Legal processes will be documented, and every reasonable attempt shall be made to serve them promptly.

The Canton PD has a Record of Legal Process form that is to be completed and associated with every legal process document received by the department. The form serves as documentation that a legal document has been received and appropriately addressed.

The policy acknowledges Canton PD officers have no authority to conduct an arrest or search outside of the Commonwealth of Massachusetts and provides guidelines for legal process actions that occur within the state of Massachusetts and outside of the Town of Canton. Massachusetts law allows any sworn police officer to arrest any person at any place within the Commonwealth, providing the officer is aware that there is an outstanding warrant for that person. As a matter of courtesy and professionalism, the policy requires the shift supervisor to notify the lieutenant on duty and make appropriate notification to the local Department with jurisdiction in the location that an arrest is occurring, if outside the Town of Canton. Canton PD officers are required to ask the local Department for their assistance and cooperation in the matter (allowing the agency to make the arrest or provide an escort for the Canton PD officers).

Canton PD policy specifies procedures regarding civil processes and asset forfeiture functions to ensure Canton PD is in compliance with applicable Massachusetts laws. The policy cites the procedures in the Evidence Collection and Preservation policy as an outline for recording, retaining, and maintaining seized property. The Officer in Charge of the Detective Bureau is tasked with acting as a liaison with the District Attorney's Office to ensure compliance with all procedures relevant to legal forfeiture of property seized under a search warrant or MGL C94C-547 (Property Subject to Forfeiture Under the Controlled Substances Act). The designated officer is responsible for recording and filing copies of the documents and disposition throughout the process and shall report directly to the Deputy Chief regarding these proceedings.

The Canton PD policy does not allow officers to request issuance of a “no-knock” warrant from a judge unless: 1) probable cause was established that if the officer(s) announced their presence, their life or the lives of others will be endangered; and 2) the officer filling out the affidavit attests that there is no reason to believe that minor children or adults over the age of 65 are in the home, unless there is a credible risk of imminent harm to the minor or adult over the age of 65 in the home.

RECOMMENDATIONS

None.

R. Media and Public Information

The Audit Team conducted a thorough review of the Canton PD Media and Public Information Policy as outlined in the Canton PD policy No.1.39, last reviewed on May 7, 2023. The Audit Team reviewed the Canton PD’s current practices and protocols for proactively soliciting public comments concerning high-profile incidents and crisis communications for consistency with the Media and Public Information policy, which is in alignment with CALEA Standards 46.1.2 / 54.1.3 / 54.1.1 and 54.1.4. Chief Rafferty and Deputy Chief Sheryll were interviewed regarding the Department’s policy, to include the use of Social Media platforms to communicate with the community.

Deputy Chief Patricia Sheryll advised that a patrol officer is assigned the collateral duty of monitoring the Canton PD’s social media postings and responses. Deputy Chief Sheryll said the designated patrol officer is the only officer with “Administrator Privileges” for the platforms and has been properly trained and equipped to handle this responsibility effectively. The Audit Team interviewed the patrol officer about his responsibilities coordinating and running the social media platforms for the Canton PD. He advised that he has been managing the social media platforms for the police department since the end of 2021 towards the beginning of 2022.

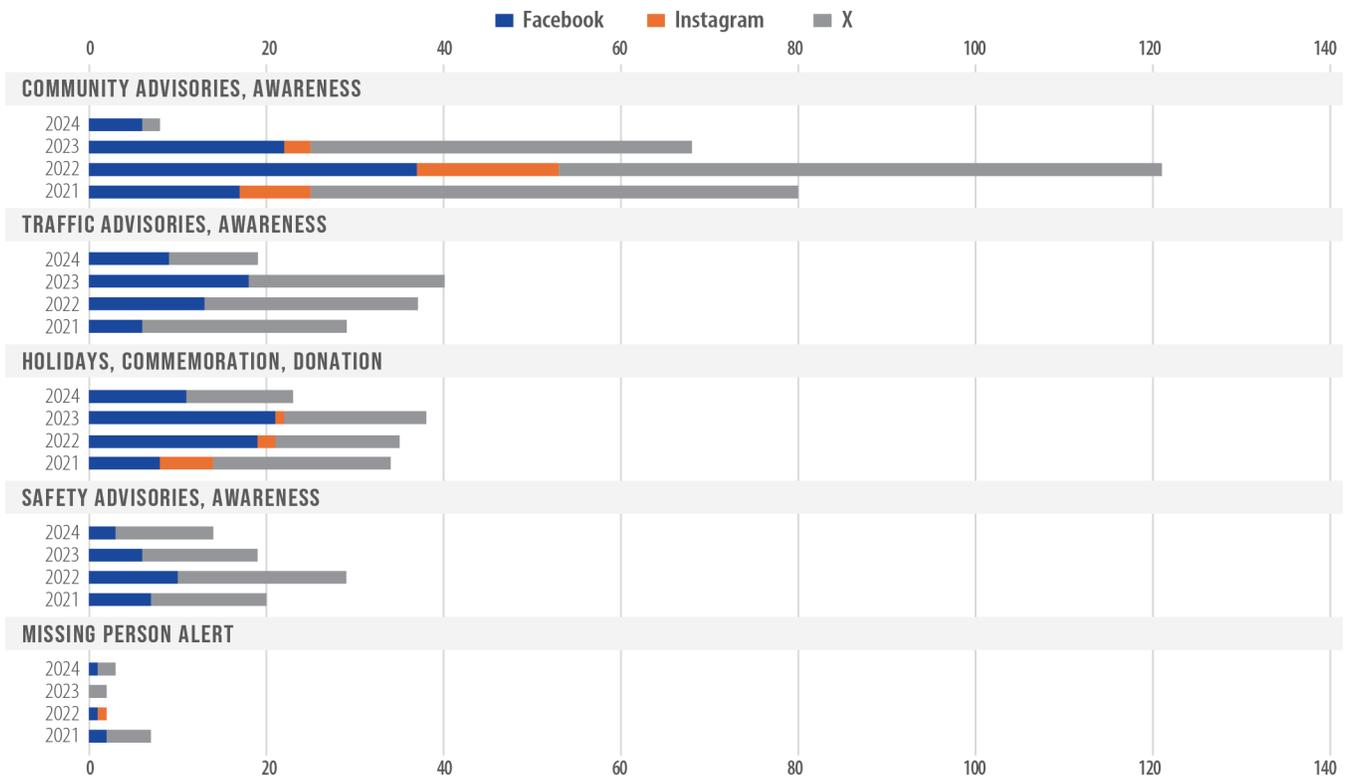
Social Media Accounts

The Canton PD social media accounts were created in 2014 by the police department and have been maintained regularly by a sworn police officer. The officer indicated that there are four (4) active platforms, which include Facebook, X, Instagram, and Google Biz. In March 2021, there was an attempted illegal takeover of the police department’s Google Biz platform. Canton PD officers promptly responded and worked with Google to identify the perpetrator and prevent disinformation from being posted. The attempted takeover was perpetrated by a town resident who was determined to be mentally unstable. For this reason, no charges were filed. The Canton PD no longer utilizes the Google Biz platform to post any messages. *[Note: Canton PD tries to post on all platforms simultaneously, however based upon site visits that indicate that the most popular social media platform is “X,” most of Canton PD’s posts are sent on the X platform.]*

With regards to Instagram, the Deputy Chief advised that the Chief had made the decision to block public comments due to the large volume of inaccurate, threatening, or crude responses made to posts created by the Canton PD, even to posts regarding community events or safety alerts. These comments made by certain community members and outsiders have affected the morale of the officers in a negative way, which will be detailed later in the report.

Platform Usage

The Canton PD is active on social media. It is crucial to consistently manage and monitor these platforms to engage with the community and provide accurate information. According to the Canton PD website (<http://www.cantonpolice.com>) the department has an active presence on various Social Media platforms including Facebook, X and Instagram, and an inactive presence on Google Biz. An open-source search of these platforms, a cursory analysis of the postings made by the department, and the community replies revealed certain information, prompting some recommendations for improvement.



Posting Frequency

It is noted that due to differing site visit frequencies, the majority of the Canton PD’s posts are sent on the "X" platform. While it is important to prioritize the most popular platform, efforts should also be made to maintain a consistent presence across all active platforms.

The department is operating within policy and departmental standards; however, the Audit Team has found that the posts made by the Canton PD are not consistent across all social media platforms. For example, “Missing Person Alerts” and follow-up messages should be posted in equal frequency. In 2021, there were two (2) Missing Person related messages posted on Facebook, zero (0) posted on Instagram and five (5) posted on X.

RECOMMENDATIONS

- Conduct regular training sessions for officers involved in social media management, reviewing security protocols for social media accounts.
- Institute a social media manager for the Patrol and Detectives divisions as well as a Senior Lieutenant.
- Resume posting to social media outlets as it relates to immediate community concerns, such as accidents, construction closings and police activities.

- Ensure consistent and timely communications across all platforms to effectively engage with the community.
- Consider implementing a social media platform management software (i.e., HootSuite, Monday.com, etc.) to push social media posts simultaneously to all social media platforms used by Canton PD, to schedule posts, and to track social media activity across all three (3) platforms.
- Post the same messages across all social media platforms especially Safety Alerts and Missing Person Alerts.
- Secure social media accounts with two-factor authentication, whenever possible.
- Leave comments off.

Public Comments on Social Media

The decision for public comments on departmental social media, especially in the context of law enforcement and public safety, must be carefully weighed. Transparency and community engagement are critical components of modern policing and can foster trust and cooperation between the police department and the community it serves. Allowing the public to post comments can often provide valuable feedback, help the department address community concerns, and allow for a more open dialogue.

However, there are associated risks with allowing public comments, especially concerning the potential dissemination of personally identifiable information (PII) of officers, or witnesses involved in police incidents, such as:

- **Officer Safety:** Public posting of PII could lead to targeted harassment or threats against officers and their families, compromising their safety and wellbeing.
- **Privacy Concerns:** Ensuring the privacy of both officers and civilians is imperative, and any platform that allows public comments could inadvertently become a channel for privacy breaches.

Given these concerns, any policy allowing public comments should include strict moderation policies and procedures to protect officer PII. Additionally, a clear set of community standards should be established which detail what type of comments are permissible and the actions that will be taken if someone violates these standards.

Ultimately, the decision to allow public comments should be made in consultation with all stakeholders, including legal advisors, to ensure that any policy implemented is both beneficial to the community and protective of the individuals involved.

S. Bias-Free Policing

The Audit Team reviewed Canton PD Policy No. 1.41, Bias Free Policing and found that it aligns and meets the requirements as established in CALEA Standards 41.4.0. Further, the Audit Team has reviewed reports of police encounters spanning the past two (2) decades and have found no evidence of biased policing based upon race, gender, or ethnicity.

The Canton PD has implemented several measures to identify and address instances of profiling based on race, gender, or bias. These measures include:

- Mandatory documentation of all interactions with motorists in the Canton PD's computer system, including the individual's race, gender, age, reason for the interaction/stop, and search results, to track and analyze the diversity of citizens engaged with by the police department.
- Utilization of citizen complaint procedures to investigate allegations of profiling filed directly with the Canton PD, or through state agencies, ensuring transparency and accountability in handling bias-related complaints.
- Proactive review of performance, complaint, and employment information by supervisors to identify and address potentially problematic behavior among personnel, with a focus on promoting professionalism and addressing any concerns regarding disparities in interactions with motorists.
- Directing officers to collect specific data on race, gender, and reasons for interactions and searches as per established protocols by the Secretary of Public Safety, when necessary, to ensure the collection of relevant information for analysis.
- Conducting an annual administrative review of agency practices and citizen concerns by a designated Superior Officer selected by the Chief, who will examine written complaints, data on interactions with motorists, and any other formal or informal correspondence, and report findings to the Chief of Police for further action as needed.

These measures provide an effective method to address and prevent bias-based profiling while promoting fair and equitable policing practices within the community.

RECOMMENDATIONS

While the program protecting against bias is robust, public forums are always recommended for community feedback.

T. Alternatives to Arrest

The Canton PD policy No 1.43 concerning arrest alternative, emphasizes the protection of constitutional and statutory rights for individuals who are arrested and taken into custody. It mandates immediate release of an individual if an arrest is determined to be invalid and requires notification of the Chief of Police or their designee in such cases.

Key Policy Areas Reviewed

The department's procedure under Policy No. 1.43 includes options for alternatives to arrest and grants officers some discretion in certain situations. Officers are encouraged to consider the public interest and the context of the situation, possibly opting not to arrest despite having justification.

Circumstances warranting discretion include:

- Avoiding arrest to prevent escalating community tensions or sparking disorder.
- Prioritizing response to more serious crimes or emergencies.
- Acting as a mediator in minor disturbances like neighborhood quarrels or noisy parties (this is an example of a direct benefit of community policing).
- Handling minor juvenile offenses with warnings and parental involvement.
- Issuing summonses for minor offenses as an effective alternative to arrest.

These guidelines are designed to balance community law enforcement with community relations and a effective policing strategy. The lack of law enforcement support from the community has drastically affected Canton PD's ability to allow officers to exercise discretion, thereby limiting the benefits of employing a community police force.

RECOMMENDATIONS

We strongly recommend officers default their actions according to the documented laws and departmental policies. Any discretion utilized by officers exposes both the officer and the department to allegations of misconduct and prejudicial treatment; therefore, the recommendation of the Audit Team is to enforce the laws as written.

U. Field Training and Evaluation Program

A comprehensive review of the Field Training and Evaluation Program (FTEP) Policy as outlined in Canton PD policy No.1.45 and current application was conducted by the Audit Team, as well as in-depth interviews with the Field Training Officers (FTO). The Audit Team found Canton PD policy No.1.45 to be in alignment with CALEA Standards 1.3.12 / 33.4.2 / 33.4.1 and 33.4.3.

Key Policy Areas Reviewed

The primary objective of the FTEP is to equip trainee officers with the necessary skills to effectively carry out their duties as police officers and to advance the standards of professionalism in law enforcement through ongoing quality enhancement. The program model is based on the widely recognized "San Jose Model," which involves pairing a student officer with specifically trained FTOs.

The Training Officer and the Training Coordinator will go over the expectations with each new recruit. A receipt form will be submitted to record the issuance, receipt, and instruction provided. This process will be completed before the officer is assigned to work independently. Each probationary officer will then participate in a four (4) week on-the-job training/evaluation program with designated FTOs. This training period will not change the one-year probationary period, which all newly appointed full-time officers in Massachusetts must complete. (Source: Massachusetts Law 33.4.3 (a)).

During the training period, the Probationary Officer will be required to rotate their field training assignments between at least two (2) different FTOs. The FTOs will document their evaluation of the probationary officers, providing daily and weekly observation reports that cover various police activities and interactions. Following the supervisory phase of field training, the evaluation process will continue with periodic evaluations completed by the probationary officer's supervisors.

During the review process, interviews were conducted with the Deputy Chief and the Training Coordinator, who are responsible for the management and supervision of the FTEP. New full-time officers must successfully complete an internal field training initiative, while all sworn officers are mandated to participate in in-service training every two (2) years. The FTEP training officers are talented and well-respected officers who have a sincere passion for law enforcement and the Town of Canton.

RECOMMENDATIONS

The Audit Team conducted interviews with both FTOs as well as new police officers within the Canton PD. Interviews with the FTOs revealed that new officers completed the required minimum four (4) weeks of FTEP training, meeting all Massachusetts state and CALEA minimum requirements. It is recommended that the FTEP program be expanded to eight (8) weeks, as opposed to the current four (4) week program. An eight (8)-week program expands the opportunity for additional exposure to the various types of calls and responses necessary as a police officer.

V. In Car Video Recording

The Canton PD follows policies outlined in Policy No. 146 and CALEA Standards 41.3.8 to ensure compliance with procedures related to their in-car camera program. The primary objective of the department's use of audio-visual recordings is to provide an accurate representation of events to facilitate effective evidence gathering and documentation. This practice serves to defend against civil lawsuits and allegations of officer misconduct. The use of mobile video recording systems in police vehicles also serves as a safeguard for patrol officers against unfounded accusations of misconduct during traffic stops.

Key Policy Areas Reviewed

- Recording audio and video footage of motor vehicle stops, pursuits, and police responses in vehicles equipped with recording equipment.
- Retaining video and audio recordings in accordance with records retention standards and making them available for court proceedings.
- Ensuring that all police vehicles are equipped with motor video recording systems, with officers conducting pre-shift checks to ensure their operability.

Officers are trained in the proper use of In-Car Video (ICV) systems and are only authorized to use them during on-duty engagements related to police functions, if safety allows. The use of ICV is required during specific incidents such as calls for service, encounters with armed individuals, arrests involving the use of force, search warrants, pursuits, and motor vehicle stops. Officers have the discretion to activate ICV during incidental public interactions, and once activated, the recording should continue until the event concludes to maintain data integrity. If an officer fails to deactivate the ICV, they are required to document the reason for doing so.

Under state law, ICV footage may not be admissible in court if the camera was not properly mounted on the vehicle. Moreover, ICV recordings in Massachusetts are limited to events occurring in public areas or within public view, excluding private properties.

RECOMMENDATIONS

None.

W. Body Camera Recording

In 2024, the Canton PD implemented the use of Body-Worn Cameras (BWCs) as outlined in policy No. 146. A senior lieutenant who is responsible for overseeing BWC reviews within the department stated during an audit interview that the Canton PD has recently acquired BWCs and has not encountered any operational issues thus far.

Before utilizing the BWCs, all officers receive training on proper usage, operations and calibration, and this training is documented in their records. Detectives and School Resource Officers are specifically assigned BWCs and are required to activate them during high-risk activities.

Officers are instructed to make a reasonable effort to inform civilians that they are being recorded by the BWC, unless under exigent circumstances, immediate threats, or concerns for safety. Consent is not required for recording, but officers must state the reason when deactivating the BWC. If a BWC fails to record an incident, officers must document this failure in writing. Officers are prohibited from using the BWCs to record violations of the Canton PD policy. Duty Supervisors are assigned to monitor officers using the department-issued BWCs, and any instances of non-compliance are investigated by the Chief of Police or their designee.

The supervisor of the BWC program reported no issues regarding the activation or non-activation of the cameras. Body camera recordings are securely uploaded to a cloud storage location managed by the vendor, Motorola, who also supplies and maintains the BWC equipment. Officers are not allowed to use flash drives to access the video files to prevent potential file corruption. Any necessary redaction of video footage is done in collaboration with the District Attorneys' office as required.

Observations

Our team spoke with Chief Rafferty and her team that oversees the BWC program and noted that all express positive feedback toward the BWCs and their usage.

X. Automated Plate Reader Policy/Flock Cameras

Canton PD has Flock cameras placed in certain locations throughout the town. The cameras were purchased with equitable sharing funds at no cost to Canton residents. The cameras have assisted officers and detectives to solve several crimes that have occurred in the town. They have become a valuable law enforcement tool for the Canton PD. The Canton PD does not authorize or use the traditional LPR systems.



Motorola Body Worn Camera utilized by Canton PD officers.

RECOMMENDATIONS

The department should purchase additional cameras to be placed in areas where traffic is heavy, near schools, and other heavily populated areas within the town.

Y. Duty to Intervene

In accordance with the Canton PD Rules and Regulations as outlined in Canton PD policy 1.51 and as delineated in Section 15 (a) of MGL Chapter 6E of Section 30, Chapter 253 of the Acts of 2020, it is mandated that if an officer witnesses another officer using physical force, including deadly force, that is deemed excessive or not objectively reasonable given the circumstances, they must intervene to halt the use of unjustifiable force. However, this intervention should not take place if it puts the officer or another individual at immediate risk of harm.

Moreover, as per Section 15 (b) of MGL Chapter 6E of Section 30, Chapter 253 of the Acts of 2020, if an officer observes another officer utilizing unwarranted physical force, they are required to promptly report the incident to an appropriate supervisor, ensuring this is done before the end of their shift. The reporting officer must then draft a comprehensive written statement detailing the event in accordance with the established uniform procedures. This detailed statement should be included in the supervisor's official report. The Audit Team reviewed over ten years of investigations and police encounters and did not find any evidence of failure to abide by these policies and regulations.

RECOMMENDATIONS

The Audit Team discovered no evidence or information that this policy is not being followed. Our recommendation is to include this policy in an acknowledgment and certification to be signed and acknowledged by individual officers annually.

Z. Informants

Informant Guidelines

The Canton PD's Informants Policy and Procedures as outlined in Canton PD policy No. 2.01 are in line with CALEA Standards 42.2.7, which emphasize the importance of maintaining confidentiality and ethical conduct when dealing with informants.

Confidential Informant Management

Confidential informants will be given a unique code number to ensure their anonymity. The Officer in Charge of the Detective Bureau will keep a comprehensive file containing personal details, criminal background, contact information, and past involvement in operations of each informant. This file is contained in a lock file container with access limited to detectives and senior officials. Senior investigators at Canton PD will assess the potential risks to the public associated with using the informant. The decision to engage the informant will depend on the level of risk involved and the type of criminal activities the informant can help uncover.

Handling of Informants

Our team found that Canton PD detectives utilize confidential sources (Informants) for information on crimes that occur or have occurred in the town. The Officer in Charge of the Detective Bureau is

responsible for ensuring officers and detectives follow the policy and informants are treated courteously irrespective of their background. Investigators should fulfill all ethical promises made to the informants to maintain trust. Informants should never be allowed to take control of any part of an investigation.

Juvenile Informants

Special precautions are necessary when using juvenile informants. Permission from at least one (1) parent or legal guardian is required, and meetings with juvenile informants should involve two (2) officers. Our team recommends that the Canton PD should not utilize juvenile informants to assist in cases. The Canton PD as a practice does not use Juvenile Informants.

Dealing with Criminal Activity

Approval from the Chief of Police, or their designee, is required for informants to engage in activities that would otherwise be criminal. Unauthorized criminal activity by an informant should be reported to the Chief of Police for appropriate action. Currently the Canton PD has not authorized an informant to engage in criminal activity.

Remuneration of Informants

The remuneration of informants is under the purview of the Officer in Charge of the Detective Bureau. Only informants registered in the master file are eligible for compensation, and rigorous records of payments should be maintained. The Canton PD does not offer financial compensation to informants. Those utilized by the Canton PD are known as "defendant informants" and cooperate with the aim of potentially reducing their sentence or charges. Any decisions related to sentence reduction or charge alteration are determined by the presiding judge in the case, not by the Canton PD. The Canton PD does not make any assurances or definitive statements to informants about their legal outcomes. Instead, the level of cooperation provided by the informant is conveyed to the district attorney's office for review and presentation to the judge.

Dismissing Informants

If an informant becomes undesirable due to various reasons the OIC Detective Bureau should be informed of the circumstances and decide on further use. The reasons for dismissal should be documented in the master file.

Additionally, while the Canton PD is not required to obtain approval from the District Attorney's Office for informant use, the District Attorney's Office can assist in strategy decisions for informant use in considerations of safety and legal processes. Informants are often utilized to initiate proactive investigations and are kept out of the investigative reports to ensure their safety and confidentiality. Protective measures are taken to safeguard informants, and in some cases, this may lead to a case dismissal to prevent exposure to the informant's identity. The District Attorney's Office commended the manner in which Canton PD initiates, controls, and utilizes their informants and source of information.

After a review of investigations and established informant usage, the Audit Team determined all Canton PD informants are established and utilized in conjunction with all policies and regulations. The Audit Team

reviewed several informant files and found them to be in proper order. All policies and regulations are followed.

RECOMMENDATIONS

While the Audit Team observed nothing that contradicted policy concerning informant establishment and usage, the following recommendations are strongly encouraged to be added to the current operating procedures and policy manuals.

- A minimum of two (2) sworn officers be required when meeting with an established or potential informant. No exceptions.
- Every time Canton PD officers meet with the informant, officers should search the informant for contraband and weapons, regardless of the length of usage. This enables the informant to testify in court that they are searched every time they meet the controlling officers negating any insinuations concerning contraband seized.
- Canton PD will conduct thorough background checks to include a full Criminal History including photos and fingerprints when documenting or establishing the informant.
- Canton PD sergeant will provide a summary of the informant's reliability and their planned usage to the lieutenant over investigations (intelligence/operational).
- Canton PD detective will author an Initial Activation Report to be approved by a lieutenant or higher-ranking Canton PD official.
- CDP Lieutenant of Investigations, or higher-ranking Canton PD official, will conduct periodic assessments (180 days) for validating continued establishment and use of an informant. This will include meeting with the informant outside the presence of the Canton PD controlling officers and ensuring all rules and policies are met and fulfilled.
- All usage, debriefings and information obtained from or through the use of an informant will be documented, and copies of those reports will be maintained in the informant file as well as the respective case file.

All informants will be debriefed every 90 days, at minimum, and this quarterly debriefing will be maintained in the informant file.

AA. Domestic Disputes

The Audit Team reviewed Canton PD policy No.2.02, Domestic Disputes. The Canton PD acknowledges and teaches its officers that Domestic Violence is a widespread issue that impacts individuals across all demographics and does not discriminate. The objective of their policy is to set forth protocols and provide guidance to officers when addressing domestic violence incidents. Domestic violence is a criminal offense, and in cases where there is sufficient evidence, arrest is considered an appropriate and preferred course of action by the court. Regardless of one's profession, every individual is accountable for their actions that infringe upon laws such as M.G.L. c. 208, 209, 209A, 209C, and/or Superior Court orders. This approach is in compliance with CALEA Standards 41.4.5.

Key Policy Areas Reviewed

When a law enforcement officers respond to domestic disturbances, they frequently have little to no information on the aggressor or domestic dynamics, which presents a very dangerous situation. Canton PD policy dictates that in situations involving domestic violence officers must promptly respond to the dispute due to the high risk of injury to either party or household member. When dispatched to a suspected domestic call it is advisable to send two (2) officers to the scene if possible. Additionally, officers should be equipped with the following information:

- Any existing warrants through CJIS and the Warrant Management System.
- The suspect's criminal history.
- Any protective orders against the suspect, including those held by individuals other than the victim.
- Other pertinent details known to the department, particularly relating to past incidents at the address or involving the parties, as well as the potential presence of firearms.
- Information on firearms identification cards and/or licenses to carry issued to the residents.

This protocol is crucial for ensuring the safety and well-being of all parties involved in domestic disputes.

One of the resources on staff at the Canton PD is the Mental Health Professional (MHP) described in *Section 1, Part E*. The MHP collaborates with uniformed officers and provides prompt counseling options and alternatives to law enforcement engagement. According to Massachusetts law, if officers witness any physical harm being done or observe injuries or evidence of abuse on either individual, they must apprehend the aggressor. Examples of injuries or markings stated in this section encompass bruising, scratches, and red marks. In the absence of these physical signs, the domestic disturbance scenario transforms into an argument, or counseling session where both parties allege mistreatment by the other.

Given the unpredictable nature of domestic disturbance calls and the inability for law enforcement to ascertain the relationship dynamics of the parties, the number of individuals involved, weapons present, previous injuries, etc., the policy must outline parameters within which to work. The Canton PD policy provides clear instruction on what must be addressed and how to safely navigate a domestic disturbance situation.

The Canton PD provided the following statistical data related to domestic violence and family services calls for service.

Domestic Violence incident statistics for the time period between January 1, 2023 and December 31, 2024 indicated that Canton PD had a total of **321 log entries** (calls for service), listed below in the IMC computer database. During 2023, Canton PD reported 52 arrests/complaints for domestic violence related offenses. In 2024, Canton PD reported 66 arrests/complaints for domestic violence related offenses.

RECOMMENDATIONS

None.

BB. Sexual Assaults

The Audit Team reviewed Canton PD policy No. 2.03: Sexual Assault Investigations. This policy has been implemented since 2009 and previously reviewed in 2009, 2014, 2016, 2017, 2020 and 2023. Further examination of this policy confirms it complies with CALEA Standards 33.6.1 and 82.2.1.

Key Policy Areas Reviewed

The Canton PD policy concerning sexual assault is consistent with Policy No. 2.02 as outlined above in that it emphasizes key laws which must be adhered to while dealing with an extremely sensitive and horrific crime. The Canton PD takes extra measure to ensure its officers understand Massachusetts Rules of Evidence Section 413, "First Complaint of Sexual Assault" (a) and (b) which states in part:

"(a) Admissibility of First Complaint. Testimony by the recipient of a complainant's first complaint of an alleged sexual assault regarding the fact of the first complaint and the circumstances surrounding the making of that first complaint, including details of the complaint, is admissible for the limited purpose of assisting the jury in determining whether to credit the complainant's testimony about the alleged sexual assault, not to prove the truth of the allegations. (b) Admissibility of Additional Reports of a Sexual Assault Under an Alternative Evidentiary Basis. When otherwise admissible testimony or evidence other than the first complaint includes or implies that a report of a sexual assault was made, it may be admitted only if the trial judge determines that (1) it serves an evidentiary purpose other than to corroborate the testimony of the alleged victim and (2) its probative value outweighs its prejudicial effect."

The first interview in these types of investigations is extremely crucial and could fall under the "First Complaint" doctrine. Canton PD personnel are required to be well-versed in the "First Complaint" doctrine and its significance in cases of rape and other sexual assaults. According to this doctrine, a witness can testify about a sexual assault victim's initial report of the crime regardless of how much time has passed since the incident occurred. The witness can provide details about the crime, the circumstances surrounding the victim's report, and why the report was made at that time. There is no longer a requirement for the victim's complaint to be made promptly or reasonably after the assault. Only one (1) witness can testify about the victim's initial complaint, which should be the first person the victim

confided in about the assault. Since police officers and investigators often serve as the first recipients of such complaints, they must meticulously document every detail shared by the victim to testify accurately and effectively in any subsequent legal proceedings.

Rape is an inherently damaging experience for the victim, causing both physical and mental harm. It is crucial for law enforcement officers to understand that investigating a rape case requires utmost sensitivity and tact to gather all the necessary information about the crime and the perpetrator's method of operation. Investigating rape and sexual assault is one of the most challenging tasks for any police officer, and successful prosecution becomes nearly impossible without the victim's full cooperation. A well-conducted and professional interview can yield vital information for apprehending the suspect and collecting evidence for a conviction.

RECOMMENDATIONS

Given the gravity of these investigations and the potential impact of Massachusetts Rules of Evidence Section 413 on the successful prosecution of a sexual assault case, it is recommended that the Canton PD ensure at least two (2) detectives receive training in handling sexual assault cases, interview techniques, and crime scene processing and preservation. The Audit Team recognizes that the Massachusetts State Police will ultimately handle and process the crime scene in instances of sexual assault. However, since Canton PD officers have a singular opportunity to document these scenes as first responders and considering the significance of the "First Complaint" doctrine, it is imperative that Canton PD officers undergo specialized training in dealing with such crimes.

CC. Dead Bodies

The Audit Team reviewed the Canton PD policy No.2.05, "Dead Bodies," which in summary, dictates the following actions to be taken by its officers.

- Classify a death into one of four (4) categories (the Manner of Death): Homicide, Suicide, Accidental Death, or Natural Cause. It is vital to act promptly and knowledgeably in response to the discovery of a dead body, adhering to established policies.
- As per Massachusetts General Law (MGL) Part 1, Title VI, Chapter 38, Section 3, individuals must immediately notify the Office of the Chief Medical Examiner under various circumstances, such as deaths involving criminal violence, accidents, suicides, suspicious circumstances, abuse suspicions, poison or drug-related deaths, among others.

The responsibility of establishing the *cause of death* falls under the jurisdiction of the medical examiner, (cause of death is the specific injury or disease that leads to death) while determining the *manner of death* generally lies with the police. As indicated in MGL C.38s.4, manner of death is the determination of how the injury or disease leading to death occurred. The medical examiner takes charge of the deceased's body and any personal property found, unless the property is considered evidence of a crime.

In cases of unnatural deaths, all property, including potential evidence like suicide notes, must be retained by the police department unless directed otherwise by the District Attorney's Office. It is essential to maintain the integrity of the crime scene and handle the deceased person's belongings with care.

In incidents of unattended deaths or deaths falling under the criteria listed in MGL C. 38 s. 3, both the medical examiner and the District Attorney's Office must be informed. However, in attended deaths where the cause appears natural and non-suspicious, the medical examiner may not need to be present at the scene, provided a death certificate is signed by an appropriate individual.

Unattended death procedures require immediate actions by the responding officer, including initiating resuscitation if applicable and notifying the necessary authorities. The scene should be secured, and efforts made to preserve any potential evidence until the arrival of the medical examiner and District Attorney's representatives.

Findings and Observations

Overall, the handling of deceased individuals requires thorough adherence to statutory provisions, careful documentation of the scene, cooperation between law enforcement and medical examiners, and proper notification of relevant authorities following established protocols.

The Audit Team reviewed policy, procedures, evidence collection, and the preservation of evidence related to death investigations, to include the death investigation of Boston Police Officer John O'Keefe. We made observations and recommendations listed below. Our team made additional recommendations and findings which are detailed later in this report. See below.

- First responding officers should have photographed the scene (location of Mr. O'Keefe) before fire rescue arrived.
- The Canton PD properly notified the Massachusetts State Police (MSP); however, the MSP were not decisive in their response to the notification. Pending MSP acceptance, it is a Canton PD crime scene and should have been handled as such.
- The arriving Canton PD units were not properly equipped with crime scene equipment allowing for proper crime scene processing (evidence bags, digital camera, collection kits, etc.).
- The Canton PD should have maintained a presence with at least one patrol officer and marked patrol unit at 34 Fairview Road to preserve the crime scene, pending further investigation by MSP.

It is important to acknowledge that despite the challenging blizzard conditions and the delayed response from the MSP, the Canton PD officers made an effort to uncover and protect evidence. The innovative use of a leaf blower to systematically search through the snow-covered crime scene was instrumental in uncovering evidence near Mr. O'Keefe's body. Considering the delayed arrival of the MSP and absence of crime scene equipment on hand, the Canton PD officers were resourceful in their attempts to safeguard physical and biological evidence.

On March 20, 2025, at approximately 5:28 p.m., Canton PD responded to a report of an unconscious male who was believed to be overdosed. When officers arrived, they were met by the calling party, who discovered the male subject in the doorway to the house. Canton PD officers observed the male subject

laying on the floor in front of the doorway. Officers immediately secured the scene and notified Detective Sergeant and other detectives who responded to the scene. Canton Fire Department and Paramedics responded on scene and pronounced the male subject deceased at 5:35 p.m.

Notifications were made to the Massachusetts State Police detectives assigned to the Norfolk District Attorney's Office and the medical examiner's office in conjunction with Massachusetts Law, who then responded to the scene. Prior to their arrival, the Canton PD took digital photographs of the scene, secured evidence, and obtained witness statements (recorded on body worn cameras) from individuals at the scene who had critical information. This investigative action was in line with Canton PD policies, procedures, and best practices. The Canton PD noted in reports that the manner of death was sudden death (overdose).

These actions demonstrate that the Audit Team's recommendations related to crime scene preservation and handling are being successfully implemented and making effective changes in the operations of the Canton PD.

RECOMMENDATIONS

Scenario-Based Tabletop Training

In line with previously recommended training focused on Crime Scene Preservation and Documentation, it is also recommended the department implement scenario-based tabletop exercises for uniformed officers in a classroom setting during in-service training. These exercises can simulate a variety of crime scenes scenarios. Moreover, these scenarios should include the detective division as well as third line supervisors, to illuminate the communication process and expose possible gaps to current procedures.

Tabletop exercises provide an opportunity for officers to anticipate potential challenges and initiate constructive discussions without the need for elaborate setups or travel. This cost-effective training method allows for simultaneous training of all officers and is a common practice employed by federal law enforcement agencies as well as all military branches. By engaging in these scenarios, officers can gain essential knowledge on the proper procedures while familiarizing themselves with potential obstacles that could arise. This proactive approach enables the department to equip each officer effectively and ensure they are well-prepared to fulfill their duties.

Standard Evidence Collection Equipment

It is further recommended that all patrol officers have standard evidence collection equipment in their patrol cars. The Audit Team understands that while the MSP will ultimately handle and process crime scenes involving dead bodies, the Canton PD officers will be the first responders and should be equipped to adequately secure the scene and pertinent evidence until MSP arrival. As the first responders, Canton PD officers should receive training on evidence collection and preservation relevant to crime scenes involving dead bodies in the event that the MSP response is not timely to prevent the erosion of pertinent evidence.

DD. Cold Cases

The Audit Team reviewed Canton PD policy No.2.06, “Cold Cases” and found it to be in alignment with CALEA Standards 42.2.9.

The objective of this policy is to ensure that all major cases are diligently investigated while appropriate procedures are in place for handling unsolved cold cases.

This policy reflects Canton PD’s commitment to investigating all major cases until resolution while managing limited investigative resources effectively . If a case remains unsolved after one (1) year with no new evidence or leads, it will be deemed a "cold case" and is then subject to the procedures outlined in the policy.

This policy allows the Canton PD to maintain its commitment to pursuing justice for victims and holding perpetrators accountable, even in cases that have grown cold over time.

Key Definitions:

- **Cold Case:** A criminal investigation that remains unsolved after one year, with all known leads exhausted. A suspect may or may not have been identified during the original investigation.
- **Major Cases:** Major cases include homicide, any suspicious death, rape, kidnapping, assault resulting in serious bodily harm, arson, terrorism-related incidents, and other cases as determined by the Criminal Investigations Unit Supervisor.

RECOMMENDATIONS

None.

EE. Criminal Intelligence

The Audit Team reviewed COD Policy No. 2.07 “Criminal Intelligence” and found it in alignment with CALEA Standards 42.1.5 and 2.1.4.

The policy covers intelligence activities which primarily focus on gathering, analyzing, and disseminating information regarding suspicious occurrences and criminal intelligence, which may not always be directly tied to an ongoing criminal inquiry. Maintaining the legal and ethical integrity of the information collection, handling, and distribution processes is crucial. Legal mandates and privacy regulations prohibit law enforcement agencies from obtaining and sharing data that is not considered relevant to criminal activity.

The Canton PD has instituted several safeguards regarding its legal obligations and in consideration of the rights of its citizens. The policy states in part:

- Intelligence gathering efforts shall not interfere with the exercise of constitutionally guaranteed rights and privileges; and
- No intelligence information shall be gathered or retained unless it specifically relates to criminal conduct or to activities that present a threat to the community.

The Canton PD policy clearly outlines the requirements and expectations as it relates to Maintaining/Storing, Safeguarding/Processing and Utilizing intelligence.

RECOMMENDATIONS

Consistent with the recommendations as they relate to Informants and Documentation and Report Writing, the Audit Team suggest careful consideration be given to the documentation of all intelligence, with special consideration given to verbal debriefings. A clear chain of custody is easier to establish for physical evidence such as documents, electronic records, video and audio recordings, but quite often the most valuable intelligence is gleaned through informant debriefings as well as witness statements. At the time a statement is acquired it may not have relevance or be thought of as intelligence. Consistent formatting in recording and memorializing this type of information will assist in preserving and maintaining the integrity of reports.

FF. Internal Affairs (IA)

The Audit Team conducted a thorough review of both the internal affairs (IA) policy as documented in Canton PD Policy No. 4.01 as well as the existing IA investigations. This section will speak only to the policy. The policy, its implementation and the IA investigations are thoroughly assessed in *Section 3: Professional Standards and Accountability*.

Policy No.4.01 as documented is in alignment with and meets the requirements of CALEA Standards 11.4.4 / 26.1. / 26.1.2 / 26.1.14 / 26.1.5 / 26.1.7 / 26.1.8 / 45.2.1.1 / 52.1.2 / 52.1.3 / 52.1.4 / 52.1.5 / 52.2.1 / 52.2.2 / 52.2.3 / 52.2.4 / 52.2.5 / 52.2.6 / 52.2.7 / 52.2.8 and 52.2.9, as well as Massachusetts POST REC-01 / IA-01 through IA-06 and Conduct 01. This policy was last reviewed on January 15, 2025.

A relationship built on trust and confidence between the employees of the police department and the citizens of the community is crucial for achieving law enforcement goals. All police personnel are expected to conduct themselves in a manner that reflects positively on themselves and the department, both on and off duty. Upholding a high standard of conduct establishes the reputation of the department, in turn garnering support from the community for department objectives. In the Canton PD, the IA function may be delegated by the Chief to the Deputy Chief, who can then assign a lieutenant to investigate. For the purpose of this policy, the term *Internal Affairs Section* will encompass any of the aforementioned roles.

The IA function is vital for ensuring professional conduct within a law enforcement agency. The department's integrity is directly correlated to the personal integrity of each employee. The quality of IA investigations in response to misconduct allegations significantly shapes the public perception of the department. The primary purpose of the IA function is to address allegations of misconduct within the police department and among its staff to ensure department integrity and preserve community trust. An officer tasked with conducting an IA investigation must oversee the investigation of complaints against all employees, supervise inquiries into alleged misconduct within the department, and uphold the confidentiality of IA investigations and records. A thorough IA investigation is essential for maintaining the department's integrity, ensuring objectivity, fairness, and justice through comprehensive and impartial reviews.

The policy is thoroughly written and provides clear instruction and guidelines on the IA process. Primary objectives include:

- Protection of the public
- Protection of the employee
- Protection of the Department
- Removal of unfit personnel
- Correction of procedural problems
- Address training deficiencies

Any initiated IA investigation must begin promptly upon receipt of the complaint and should be concluded within ten (10) days after the assigned officer contacts the complainant. In cases of extenuating circumstances, the officer must provide written notice documenting the reasons for the delay to the Chief, who has the authority to approve an extension of the investigation timeframe. Formal complaint forms are accessible at the Canton PD, and once submitted, the arrival time and date will be recorded with a copy being furnished to the complainant. In cases where a violation is considered minor, the Canton PD will adhere to the minimum standards stipulated by the POST Commission policies. These complaints may be shared with the Commission upon request or in alignment with any relevant Commission policy.

To align with the Police Reform Act requirements, all IA investigations regarding officer misconduct complaints must be completed with a final decision reached within one (1) year of the complaint's submission or notification from the Commission regarding the filed complaint. The Commission reserves the right to extend the investigation timeline for valid reasons. All applicable Policies and Procedures will be revised to comply with these regulations. The Canton PD policy itself is well written and detailed. It encompasses all aspects of an IA investigation as well as the proper procedure to be taken.

RECOMMENDATIONS

Recommendations as they relate to Canton PD policy No 4.01 are addressed thoroughly in *Section 3: Professional Standards and Accountability*. There are no specific recommendations to the policy itself as it is well written. The recommendations made in Section 3 will address the overall Internal Affairs program and recommend changes to the implementation of and adherence to this policy.

GG. Victim Witness Rights

The Audit Team reviewed Canton PD Policy No. 4.03. This policy dealing with the rights of both Victims and Witnesses meets and exceeds the requirements established in CALEA Standards 55.1.1 / 55.1.2 / 55.2.1 / 55.2.2 / 55.2.3 / 55.2.24 / 55.2.5 / 55.2.6 and 22.2.4. Beyond ensuring the rights are understood by its officers, the Canton PD takes extra steps to ensure the officers understand the impact of being a victim of a crime, as well as being a witness and having to navigate the legal system as a civilian.

Key Policy Areas Reviewed

The Canton PD policy No. 4.03 prioritizes the care and support of crime victims and witnesses. Historically, law enforcement agencies have focused primarily on apprehending offenders, unaware of the needs of those affected by the crime until they are required to testify in court. When victims and witnesses feel they are not treated well, or feel threatened, their willingness to cooperate with the authorities may be compromised. This lack of full cooperation can significantly impact investigations and legal proceedings.

The Canton PD efforts to raise awareness about this issue are aimed at improving the relationship between the police and victims/witnesses. By maintaining a positive connection, victims and witnesses can better handle the aftermath of the crime, enhance the perception of the police as a community-focused organization, and ultimately increase their cooperation in ongoing investigations and legal cases.

Massachusetts General Law Part111, Title IV, Chapter 258B states:

“Rights Afforded to Victims, Witnesses and Family Members”, (d) states in part: “(d) for victims and witnesses, to be provided with information by the prosecutor as to the level of protection available and to receive protection from the local law enforcement agencies from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts.”

In accordance with Massachusetts General Law Chapter 258, the Canton PD Policy instructs that individuals who have faced threats, or have credible reasons to fear intimidation, should be provided with immediate support and protection. In cases of victim/witness intimidation, the following protocol should be followed:

Key Definitions:

- **Victim:** A person who suffers physical, financial, or emotional harm as the direct result of a specified crime or delinquency offense committed upon his person or property. Also regarded as victims are: 1.) a spouse, child, parent, or legal guardian of a minor victim; and 2.) a spouse, child, sibling, parent, or legal guardian of a homicide victim. (The definition excludes any person involved in a crime as a perpetrator or accomplice).
- **Victim Advocate:** A person authorized by the District Attorney’s Office or another agency to assist victims in specified ways. Such advocates may be paid employees of the District Attorney’s Office or trained volunteers (unpaid citizens).
- **Witness:** A person who--as determined by the law enforcement agency--has information or evidence relevant to the investigation of a specified crime (all felonies, all misdemeanor crimes against persons, and, upon the recommendation of the responding officer, other crimes). When the witness is a minor, the term "witness" includes an appropriate family member. "Witness" includes neither defense witnesses nor anyone involved in the crime as a perpetrator or accomplice. All victims are witnesses.

- If an officer becomes aware of victim/witness intimidation they should:
 - Notify the Shift Supervisor without delay to arrange for the safety and protection of the victim or witness. The level of assistance provided should be based on the specific circumstances and the level of danger faced by the victim/witness. Measures should be taken to ensure the safety of the individual.
 - Take necessary legal actions against the perpetrator, including filing charges and seeking a warrant, if required.
 - Inform the Criminal Investigation Unit and Department Court Prosecutor for further potential legal proceedings.
- In situations where the victim/witness is located outside the jurisdiction of the police department:
 - The Shift Supervisor should immediately contact the relevant police agency in that area to inform them of the threat and request necessary precautions be taken.
 - Efforts should be made to alert the victim/witness about the potential danger and inform them that local authorities have been notified.
 - Notification should also be sent to the Department Court Prosecutor to initiate appropriate legal actions in response to the situation.

The Canton PD policy is detailed and in compliance with CALEA Standards. Additionally, the Canton PD upheld and implemented this policy effectively on two (2) occasions as it related to Witness Intimidation involving witnesses in the trial of Ms. Karen Read.

RECOMMENDATIONS

On two (2) occasions, the Canton PD responded to threats of witness intimidation and took appropriate actions as dictated and required by Massachusetts General Law Chapter 258b. The Audit Team reviewed both of those police actions, one of which was a more in-depth investigation, and found in both instances the Canton PD acted within policy and within the best interests of the citizens in Town of Canton. Those investigations, while required by law, did not coincide with the public opinion and have been scrutinized on social media. These two (2) instances cited above were just two of the many incidents reviewed by the Audit Team that qualify as Victim/Witness intimidation.

The Audit Team recommends that the Canton PD enforce all laws as applicable and as cited in Massachusetts General Law Chapter 253b regardless of public sentiment.

HH. Training

The Canton PD Policy No. 4.04 relates to Training, Organization and Administration. CDP Policy No.4.04 is in compliance with CALEA Standards 33.1.1 / 33.1.2 / 33.1.3 / 33.1.4 / 33.1.7 / 33.2.1 / 33.3.1 / 33.3.2 / 33.4.1 / 33.4.2 / 33.5.1 / 33.5.3 / 33.6.2 / 33.7.1 / 33.7.2 / 33.8.2 / 1.13.12 / 72.1.1 / 1.1.11 / 1.1.12 and 1.1.13.

The Audit Team reviewed the training policy in depth. While recommendations will be made regarding the training requirements, opportunities and necessities, those requirements will be made under *Section 7: Hiring, Training Standards and Equipment*.

Key Policy Areas Reviewed

Canton PD Policy No.4.04 clearly defines and acknowledges that training has been consistently recognized as a crucial responsibility within every law enforcement organization. Firstly, officers who are well-trained are typically better equipped to confidently and appropriately handle a wide range of situations. Secondly, training contributes to improved productivity and efficiency among personnel. Lastly, it promotes teamwork and a shared sense of purpose within the agency. Recently, there has been a growing trend for agencies to be legally liable for the behavior of their staff and for any deficiencies in training, whether initial or ongoing.

Training initiatives must be designed to meet the specific needs of the agency and ensure that all training activities are accounted for. It is essential that the training aligns with the goals and objectives of the department and town. Training opportunities are largely dependent on budget restrictions.

The Canton PD’s official training committee, which reports directly to the Chief of Police and is led by the Training Coordinator, will convene on an annual basis. This committee will have the responsibility of assessing and appraising all internal training initiatives to ensure they align with staff and operational requirements, comply with legal mandates, and uphold agency regulations. It will also provide recommendations for new training focus areas and contribute to the refinement and creation of programs accordingly. The committee will operate under the jurisdiction of the Chief of Police. The current composition of the Training Committee includes the following members:

- Chief of Police
- Deputy Chief
- Detective Bureau Supervisor
- Family Services Unit Supervisor
- Training Coordinator
- Principal Field Training Officer

The Chief of Police retains ultimate authority over the appointment and substitution of committee constituents. The Canton PD training coordinator was interviewed at length on multiple occasions by the Audit Team. In addition to his duties as Training Coordinator, he is also the primary “Use of Force” instructor for the Canton PD. The Training Coordinator is well versed on Canton PD Policy No. 4.04 and his responsibilities for the coordination of training.

RECOMMENDATIONS

There are no recommendations as they relate to the training policy. Several training recommendations have been noted and will be provided in *Section 2: Crime Scene Protocols*, *Section 3: Professional Standards and Accountability*, and *Section 7: Hiring, Training Standards and Equipment*.

II. Central Records

The Audit Team reviewed the Central Records policy of the Canton Police Department in Section 4.06 of the rules and regulations. Section 4.06 aligns with CALEA Standards 72.1.3 / 82.1.1-.9 / 82.2.1-.5 / 82.3.1-.5 / 17.4.2 / 17.4.3 and 42.1.3. The purpose of the Central Records policy is to designate records reporting and management procedures that allow Canton PD to provide effective law enforcement services and satisfy legal requirements and responsibilities.

Key Policy Areas Reviewed

The Deputy Chief is responsible for managing Records procedures which include the following: report review, report control, records maintenance, records retrieval, dissemination of records and destruction of any record. The policy notes that Canton PD permits the dissemination of public data in compliance with the standards of the Massachusetts Criminal History Systems Board. The dissemination of department records is strictly controlled by Criminal Offender Record Information (CORI) guidelines and M.G.L. C66.S10. The Deputy Chief approves the release of all reports. The policy stipulates that records can be requested from the Deputy Chief through a Records Request form left in the Deputy Chief's mailbox or through an email request to the Deputy Chief.

Key points regarding records management policy expectations:

- Officers assigned to work at the desk are required to record the following activity that occurs within the community:
 - Citizen reports of a crime
 - Citizen complaints (crime related)
 - Citizen requests for service when an officer is dispatched, an employee is assigned to investigate, or an employee is assigned to follow up
 - Criminal and non-criminal cases initiated by officers
 - Incidents involving arrests, citations or summonses
- Dispatching officers are required to initiate a Call Number (Log Entry) whenever a member of the public makes a call for service and to record all pertinent information to the request.
- Complete and accurate data entry responsibilities regarding the IMC system are the responsibility of the desk officer and the patrol officer or shift Supervisor.
- Desk officers must enter all necessary data into IMC as specified within the policy.
- The Chief of Police will assign designees responsible for each of the following records:

- Department Written Directive Systems
- Control of Copy Reproduction
- IMC data review and updates.
- Motor Vehicle Citations
- UCR and NIBR’s reporting

The policy details precise procedures the Canton PD must follow to ensure accurate, complete, and relevant data be recorded and maintained. Shift supervisors are responsible for reviewing the reports of patrol officers assigned to them based on specific criteria delineated within the policy (including neatness, grammar, content, etc.). The Deputy Chief is responsible for reviewing reports to ensure compliance with NIBRS reporting as well as quality metrics. An evaluation report on the Report Review process must be submitted twice annually to the Chief of Police, noting the number of reports reviewed, the number returned for correction, a breakdown of most frequent errors, the names of individuals needing remedial report writing training, and suggestions for improving the process.

The Canton PD most frequently uses the following types of reports in daily operations:

- Incident Reports
- Offense Reports
- Arrest (Booking) Reports (Criminal History File)
- Supplemental Reports
- Field Interview Reports
- Warrant Reports
- Restraining Order Reports
- Property Reports
- Motor Vehicle Crash Reports (generates a log entry and requires completion of the IMC/IMC traffic form)
- Motor Vehicle Citations

The Central Records policy not only notes specific instructions associated with the most frequently used forms but also delineates standards for regularly reviewing existing forms to improve functionality, eliminate obsolete or repetitive forms, and ensure uniformity and simplicity in design. The policy ensures record retention procedures are in compliance with Massachusetts General Laws Chapter 66, Section 8 which requires police departments to retain records in accordance with the Supervisor of Public Records’ “Retention Schedule.” The Deputy Chief is responsible for ensuring compliance to this policy.

Canton PD has procedures for handling funds specified within the Central Records Policy as well, to include the following requirements:

- The Chief of Police does not authorize officers to accept cash payments for special services contracted through the department, such as printing off copies of crash/incident reports. Payments must be made in the form of a personal or cashier’s check.
- All officers and clerical staff should be aware of costs associated with copying and mailing police reports, a breakdown of which is to be maintained in the records office.
- The officer in charge of issuing gun permits is required to document all fees collected for the licenses and ensure that payment has cleared prior to the issuing of the license.

Canton PD policy strives to ensure information is maintained accurately and securely, while still being accessible as needed to perform police functions. Records security is ensured by the Deputy Chief. The Records Section of the police department is restricted access to ensure security of department records.

Dissemination of public records is strictly controlled by CORI standards and the Massachusetts General Laws Chapter 66, Section 10. Operational records are always accessible through the IMC system to facilitate investigations and other law enforcement services. When Police Reports are removed from the files for law enforcement purposes (i.e. court, civil litigation, etc.) a note is left in place of the records documenting the following: date removed, name of the officer or person removing the report, incident number of the report, and the purpose for removal.

Protection of police intelligence is imperative to law enforcement operations, as evidenced by the guidelines in the Central Records policy. The Canton PD computer system is only accessible through passwords used by department employees. The Information System Manager (ISM) is appointed by the Town of Canton and is responsible for controlling access security. The ISM is responsible for performing weekly scheduled data back-ups and proper storage of computer data files, including on-site and off-site stored information. The ISM is also responsible for reporting any access violations directly to the Chief of Police.

Records are only authorized to be released pursuant to M.G.L. Chapter 6, Section 172, as stated in the policy. Canton PD requires officers and civilian personnel be trained in the use of IMC systems accordingly. Canton PD restricts access to sensitive cases, including sexual assault reports. A lieutenant must approve access to these reports. Reports involving juveniles are to be clearly marked “JUVENILE” and access to arrest information is strictly limited to those who have a legal right to access the information. Information dissemination of such sensitive files is specifically addressed in the policy to ensure clarity.

Overall, the Central Records policy thoroughly addresses the standards and procedures for retaining, maintaining, securing, and disseminating information.

RECOMMENDATIONS

None.

JJ. Oath of Officer

The Audit Team reviewed the Oath of Office policy detailed in Section 4.07 of the rules and regulations. The policy is uniform with CALEA Standards 11.1.0 / 16.3.0 / 26.0.1 and 26.0.2 and encompasses the mission of the police department in a form that satisfies state and local requirements, as well as affirms the commitment to upholding the Constitution of the United States. The Canton PD Oath of Office, mission statement, and Code of Ethics ensures members of the department reflect a commitment to each.

Oath of Office

All newly hired officers are required by policy to appear before the Town Clerk and take the Oath of Office, then maintain a sworn, signed copy of the Oath in their personnel file. The policy cites Massachusetts General Laws, Chapter 41, Section 98, entitled “Powers and Duties” as the basis of authority for their sworn officers.

The Oath of Office is as follows:

“I, _____ do solemnly swear that I support the Constitution of the United States of America, and the Constitution and laws of the Commonwealth of Massachusetts, the by-laws of the Town of Canton, and the Rules, Regulations and all lawful directives (written as well as unwritten) of the Canton Police Department, and that I faithfully discharge the duties of the office of _____, to which I have been appointed according to the law and the best of my ability.”

Mission Statement

In addition to the Oath of Office, the policy clearly defines the mission statement of the Canton Police Department.

“It is the primary mission of the Canton Police Department to deliver professional police services to the residents and business owners of Canton as well as those who visit our community regardless of race, religion, ethnic origin or sexual orientation.”

The mission statement reflects Canton PD’s commitment to quality policing practices and establishing protocols that ensure such practices. Every member of Canton PD is required by policy to accept responsibility for achieving the mission.

Code of Ethics

The Oath of Office policy details a code of ethics to be followed by their officers, and a code of ethics to be followed by civilian employees. The Code of Ethics for sworn officers is as follows:

“As a Law Enforcement Officer, my fundamental duty is to mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all man to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it, as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession... Law Enforcement.”

The Canton PD Code of Ethics reflects a commitment to the personal and professional standards of an exemplary law enforcement officer and in turn, to the community they commit to serve. To ensure commitment to the code, Canton PD officers are required by policy to receive ethics training twice a year at a minimum.

RECOMMENDATIONS

While no recommendations are being made under this section the Audit Team has observed that Canton PD officers demonstrate a notable commitment to their code of ethics by continuing to serve/perform policing duties despite the perception that they have limited support from members of the community or elected officials. More information will be provided in this report under *Section 6: Management Operations and Culture*.

KK. Domestic Violence Involving LEO

The Audit Team reviewed and assessed CDP Policy No. 4.10 and found it to be in alignment with and fulfilled the requirements of CALEA Standards 11.4.4 and 52.2.2.

Key Policy Areas Reviewed

Incidents of domestic violence involving law enforcement personnel pose particular challenges for investigating officers. Officers must balance protecting the victim from further harm while enforcing domestic violence laws. Victims of such abuse may be hesitant to report the incidents against an officer, making it crucial for responding officers to take appropriate action based on evidence, regardless of the abuser's occupation. Police officers responding to domestic violence incidents involving their colleagues have an added and increased responsibility to uphold the integrity of their profession and the trust placed in them by the public. Failing to enforce the law in such cases not only harms the victim but undermines the credibility of law enforcement as a whole and erodes the trust of the community.

Canton PD policy No.4.10 recognizes that officers may be involved in domestic violence incidents and establishes clear procedures for addressing such matters involving law enforcement personnel. The policies provide guidance on how to manage situations where an officer is implicated in domestic violence to ensure compliance with all legal requirements while caring for the safety and security of the victim. The Canton PD's policy on Domestic Violence Involving Law Enforcement Personnel is designed to assist officers in navigating these complex scenarios by upholding the principles of justice and accountability within the law enforcement community.

The Canton PD's policy reflects a firm stance against domestic violence involving police officers, regardless of jurisdiction. When allegations of police officer involved domestic violence arise, swift action

will be taken to safeguard the victim, apprehend the offender, and conduct thorough internal and criminal investigations. If an officer is proven guilty of domestic violence in court, their law enforcement authority may be revoked.

All reported incidents of domestic violence involving members of the law enforcement community will be diligently investigated by, or under the supervision of, a senior officer. It is the duty of the supervisory officer to ensure that all necessary enforcement measures consistent with departmental policies and procedures be taken in response to domestic violence cases. Immediate notification of any domestic violence incidents involving a department member should be made to the Chief of Police, or their designated representative, or to the Chairman of the Board of Selectmen if the Chief is directly involved.

There are no exceptions for incidents of domestic violence involving law enforcement personnel from other agencies within the Town of Canton jurisdiction. Those allegations will be meticulously investigated under the guidance of a supervisory officer, who is responsible for informing the Chief of Police. Failure to adhere to the statutory requirements, departmental rules, and policies related to handling domestic violence situations will result in disciplinary measures. The policy clearly and concisely explains relevant definitions, pertinent case laws, and mandatory In-Service Training for patrolmen and supervisors.

RECOMMENDATIONS

None.

LL. Code of Conduct

The Audit Team reviewed the Canton PD Code of Conduct policy in Section 4.11 of the rules and regulations. The policy references CALEA Standards 26.0.3 / 26.1.1 / 12.1.3 and 22.3.4. Section 4.11 summarizes the Canton PD approach to discipline and states the policy is to be read in conjunction with Policy 1.49 Professional Conduct. There are five (5) interdependent disciplinary processes noted within the policy: Selection, Training, Direction, Supervision, and Accountability.

Key Policy Areas Reviewed

The policy details expectations and standards for professional responsibilities on duty and prohibited conduct, including conflicts of interest potentially affecting performance of duties. Most notably, officers are expected to provide assistance when requested in an expeditious manner, maintain appropriate physical fitness and neat appearance, maintain a knowledge of the Town of Canton community, and state facts truthfully at all times. Furthermore, professional standards of conduct include standards of care and security for department issued firearms and awareness of department activities upon entry to duty. To avoid conflicts of interest or the appearance thereof, the policy provides guidelines for participation in political activities, outside employment, membership in organizations, testimonials, and gifts. Canton PD officers are strictly forbidden from using their official position for personal or financial gain, obtaining special privileges, or avoiding consequences of illegal acts.

In addition to the professional standards described above, Canton PD officers are expected by policy to be courteous and considerate to members of the public and their fellow officers. Canton PD officers are required to demonstrate attention to duty, avoiding activities, such as cell phone use in public, which may convey a lack of conscientiousness on the part of the officer.

Disciplinary actions addressing failures in any of the above derive from state statute Mass. Gen. Laws Ch. 31 § 43, or other measures deemed appropriate by the Chief of Police. The state statute provides for a review of disciplinary procedures before the Civil Service Commission and by the state courts when necessary. Disciplinary actions range from a letter of reprimand to discharge from the department.

RECOMMENDATIONS

While the Audit Team has no recommendations as it relates to policy, there are recommendations regarding the process and the documentation of both civilian complaints and internal affairs investigations. These items are covered in detail in *Section 3: Professional Standards and Accountability.*”

MM. Roll Call Policy

The Audit Team conducted a review of the Roll Call Policy and conducted interviews with the Deputy Chief of Operations, Deputy Chief of Administration, all patrol sergeants as well as the sergeant of the detective division. This policy was put into effect in 2010, and has since been evaluated in the years 2014, 2016, 2018, and 2020. Section 4.15 is in alignment with CALEA Standards 41.1.1 / 41.1.2 / 1.3.9 / 12.1.4 / 42.2.6 and 33.5.2.

Roll Call serves as a crucial communication tool between officers on duty and their immediate supervisors. It also functions as a training tool, facilitating the dissemination of information, directives, and documents within the department. Moreover, Roll Call is utilized to inspect officers' attire and equipment, inform the oncoming shift of any significant events, and to encourage constructive feedback on department policies and activities. The primary method for sharing Roll Call information is through the dispatch daily log provided by the Station Officer in the form of a briefing to the oncoming shift. To ensure comprehensive reporting, each log entry should ideally include as many details as possible, such as the caller's name and contact number, locations of officers dispatched to significant events, as well as the names and contact numbers of involved parties, witnesses, and/or suspects.

RECOMMENDATIONS

None.

NN. Selection Process

Additional information will be provided to the process and its application in *Section 7: Hiring, Training Standards and Equipment*.

Canton PD's Selection Process policy is detailed in Section 4.16 of the rules and regulations. The policy is in alignment with CALEA Standards 32.1.1-.4 / 32.2.1-.6 / 16.3.2 and 16.3.8. Rigorous standards for selection and hiring detailed within the policy demonstrate Canton PD's commitment to selecting the best candidates to become Canton PD officers, while ensuring a fair and equitable application process.

Key Policy Areas Reviewed

Selection guidelines are set forth within the policy based upon criteria established by the Town of Canton Personnel Policy and Police Reform Act (POST) procedures. The following conditions of employment must exist for an individual to be eligible for application:

- The individual must pass a national decertification check through MPTC's Executive Director's Office. Canton PD will not employ a decertified officer in any capacity.
- The applicant is required to obtain and maintain their certification through POST.

Once a person is certified as eligible, the selectees undergo a screening process to see if they meet the criteria for employment. The screening process includes notification to the applicants of the selection process criteria in writing, including the dates and locations of the events, expected duration, and policy on retesting and reevaluation. Requirements for background investigations, medical examinations, psychological examination, and physical ability testing are clearly stipulated in the policy.

The selection process includes various activities specified within the policy, including activities such as passing the Civil Service exam, application packets and interviews, background checks, and psychological and medical testing. The Chief of Police is responsible for coordinating the selection process and forwarding the results to the Town Manager.

The Conditional Offer of Employment stage consists of four (4) stages:

- Academy Trained Candidate (includes an applicant who has already completed a police academy and goes straight to a Field Training program).
- Non-Academy Trained Candidate (applicants who have not completed a police academy have a conditional offer of employment pending successful completion of the academy).
- Probationary Period (all new employees are considered probationary during the first twelve (12) months of service with the Canton PD).
- Performance Review (employees nearing the end of the probationary period receive a standard formal performance review).

The Chief of Police makes recommendations to the Town Manager of applicants who have successfully completed the performance review stage. Applicants who are not chosen will be notified in writing within thirty (30) days of completion of the process.

RECOMMENDATIONS

None.

00. Dispatch Center Access and Use Policy

The Audit Team reviewed the Dispatch Center Access and Use Policy stipulated in Section 4.22 of the rules and regulations. The purpose of the policy is to ensure department communications are protected through security measures detailed within. Section 4.22 is in alignment with CALEA Standards 81.3.1 and 81.3.2.

Existing guidelines within the policy strive to ensure the Dispatch Center environment is conducive to:

“Minimal distractions of assigned staff, highest levels of officers safety, prompt and efficient service to the community and other agencies, [and] accurate exchange of information with all involved parties.”

According to the policy, the Dispatch Center is outfitted with bullet proof glass in areas of public access. Security cameras are, by policy, positioned inside and outside the department to monitor access. The policy directs that the Dispatch Center must remain free of distractions as it is a hub of communication between the public and responding personnel.

Overall, the policy clearly states the expectations and standards for ensuring a safe and effective environment prepared to intake communications from the public and respond accordingly.

RECOMMENDATIONS

Access to dispatch is granted to all members of the department as each has a professional reason to enter the area. Entering the area of dispatch should be limited to only those individuals with a specific assignment or shift duties related to the dispatcher.

Canton PD should hire full-time in-house dispatchers for all three (3) shifts. In the past six (6) months, our team identified three (3) separate occasions where patrol officers failed to dispatch officers for calls for service. We also found most neighboring police departments similar in size employ full-time dispatchers. [**Note:** The Audit Team discussed these recommendations with Chief Rafferty and Select Board members.]

Hiring **full-time dispatchers** for all three (3) shifts will assist patrol officers that currently act as dispatchers and perform all functions in the dispatch center.

PP. School Resource Officer

The Audit Team conducted a review of the Canton PD School Resource Officer policy and interviewed all four (4) full-time School Resource Officers (SROs) within the Canton PD jurisdiction. It was found that Canton PD maintains Memorandums of Understanding (MOUs) with both Blue Hills Regional Technical School and Canton Public Schools, with MOUs being renewed annually. These agreements are governed by Massachusetts General Laws Chapter 71, Section 37P, as amended by Section 79 of Chapter 253 of the Acts of 2020, serving to formalize the relationship between Canton PD SROs and the School District.

Under Section 37P of the Massachusetts Law, a School Resource Officer is defined as a duly sworn municipal police officer or a special officer appointed by the Chief of Police tasked with providing law enforcement and security services to elementary and secondary public schools. The law stipulates certain requirements for the selection and training of SROs, emphasizing the importance of fostering an optimal learning environment through specialized training relating to working with adolescents and children.

The MOUs between Canton PD and the respective schools outlines the goals and objectives of the SRO program. The SRO program fosters safe and supportive school environments while promoting partnership communications and procedures for responding to student conduct. An emphasis placed on training for SROs and school personnel in best practices and appropriate intervention strategies.

As part of the MOUs, leadership from the school districts is required to provide yearly evaluations of the SRO program and individual SRO performance. Feedback from the Superintendents of Canton Public Schools and Blue Hills Regional Technical School regarding the Canton PD SROs was overwhelmingly positive, with the SROs being described as valuable assets to the school communities.



Thank you notes and letters from students in the Canton Public School system to Canton PD SROs

The interviews with the SROs revealed their dedication to their roles within the community, with examples of going above and beyond to enhance their skills and support the students. The SROs function as a law enforcement resource within the schools, providing security, guidance counseling, and informal education opportunities. They also play a role in community policing by building trust with students and parents through various interactions.

While Canton PD SROs do not have assigned police cruisers or department-issued phones, they utilize their personal cars to travel to their assigned schools and have access to school security camera footage when needed. The SROs primarily wear plain clothes to work with occasional use of uniforms and engage in various activities within the schools to support students and enhance safety.

Overall, the audit findings indicated a positive and collaborative relationship between Canton PD SROs and the school districts, with a focus on creating a safe and supportive environment for students.

Key Findings

The Canton PD employs four (4) full-time School Resource Officers (SROs) who are assigned to various levels of schools, including high school, middle school, and elementary schools. These officers are responsible for tracking student arrests and civilian contacts within the school environment. Their primary objective is to maintain a safe and secure learning environment so that teachers can focus on teaching and students can engage in learning effectively. The SROs also strive to be positive role models for students by developing relationships built on trust and fostering positive interactions. SROs collaborate with faculty and the administration team to deliver safety education programs and provide a visible law enforcement presence on school grounds to address any necessary law enforcement actions.

The Superintendent of Schools works with the SROs, reporting any student arrests or issues to ensure a coordinated approach to school safety. The SROs monitor activities on school grounds by keeping track of student contacts. They are also deployed in uniform and undercover at school sporting events to help identify and address any potential issues involving students and external influences.

The Canton PD Policy and Procedures No. 4.26, directs SROs report to the Chief of Police through their supervisory chain of command and are required to comply with all department policies. Additionally, while on duty at their assigned school, SROs have a secondary chain of command that starts within the school staff, from assistant principal(s) to the School Principal, up to the Canton Superintendent of the School District.

Given their dual role within the police department and school environment, SROs are mandated to participate in mandatory in-service training programs sponsored by the Municipal Police Training Committee, as per Massachusetts General Laws Chapter 6 Section 116H.

RECOMMENDATIONS

Currently, one (1) officer is assigned and responsible for covering three (3) elementary schools in the Town of Canton. While this officer excels at coordinating his presence at each school and varying his whereabouts unpredictably, it is logistically impossible for him to be in three (3)

places simultaneously. It is advisable for additional resources to be assigned so that each school can have its own officer present to ensure student safety.

QQ. Professional Conduct

The Audit Team reviewed the Professional Conduct policy in Section 4.28 of the rules and regulations. The policy is in alignment with CALEA Standards 12.1.3 / 22.3.4 and 26.1.1 and states its purpose of ensuring professionalism, ethics and integrity of Canton PD officers in the performance of their duties.

Key Policy Areas Reviewed

Canton PD officers are required to hold themselves to the professional standards of conduct as defined in Section 4.28 at all times on and off duty. Professional standards set forth within the policy include guidelines on the following.

Key Policy Areas Reviewed

- Officers are expected to maintain a professional uniform and appearance with cognizance of public perception.
- Employees have a right to privacy in their off duty conduct to the extent that it does not affect the employee's ability or fitness for duty.
- Officers are to keep from unbecoming conduct. While examples of "unbecoming conduct" are not explicitly outlined within the policy, it is defined as a "catch all" provision including conduct that is of such nature that would "alert a reasonable employee that their conduct under the circumstances would be inappropriate." This provision exists to note the importance of employees understanding that their connection to Canton PD does not stop while on duty but continues through their personal life. Therefore, Canton PD employees must refrain from conduct which "tends to indicate that the employee is unfit to continue as a member of the Department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the Department or its members."
- Officers are expected to avoid all situations where conflicts of interest exist – both in fact and appearance – keeping in mind their position of public trust. M.G.L. c. 268A is provided as a guide concerning situations giving rise to conflicts of interest.
- Canton PD officers must avoid membership in organizations that would interfere with the performance of their duties as well as associations with persons who they know or should know, are under criminal investigation.
- The policy reiterates that Canton PD employees are prohibited from seeking undue influence, buying, selling, or receiving anything from complainants, suspects, defendants, witnesses, etc., or making any arrangement that permits a person from escaping penalty for wrongdoing.
- Canton PD employees may not use Department letterhead for private correspondence, nor use the department mailing address for private purposes without the permission of the Chief of Police.
- The Chief of Police must approve any off-duty employment.

- Canton PD Officers must abide by “Amanda’s Law” C. 271 Section 51, which prohibits taking or transmitting images of crime victims by first responders.
- The Professional Conduct policy strives to ensure Canton PD Officers conduct themselves in such a way as to perform their official duties in a manner that demonstrates respect and earns the public trust.

RECOMMENDATIONS

None.

RR. Special Operations

The Audit Team reviewed the Special Operations policy as defined in Section 7.01 of the rules and regulations and in alignment with CALEA Standards 2.1.3 / 2.1.4 / 11.4.4 / 22.3.1 / 33.6.2 / 41.2.4 / 41.2.5 / 46.1.2 / 46.2.1 / 46.2.2 / 46.2.3 / 46.2.5 / 46.2.6 and 46.2.7. The purpose of the policy is to provide guidelines for preparation for and response to emergencies and disasters.

Key Policy Areas Reviewed

Special Disaster or Emergency Planning

Section 7.01 requires the Canton PD to respond to emergencies and disasters, obtain appropriate resources, and address emergencies in a manner that preserves life, peace and property. The policy cites an “All Hazards Plan” that is in place for responding to general emergencies and disasters. The policy defines four (4) categories of events requiring special disaster or emergency planning: a breach of the peace, civil disturbances, disasters, and unusual occurrences. Expectations and guidelines for the initial response to an emergency are detailed within the policy.

Emergency Situations

The policy cites M.G.L. c41 s98 as a basis of authority for standards in responding to emergency situations. The statute gives police officers authority to suppress and prevent disturbances and disorder, disperse any assembly of three (3) or more persons, and to enter any building to suppress a riot or breach of the peace therein.

In the event a situation arises to an unmanageable level, the policy states that the Chief of Police may request assistance from the National Guard. If a state of emergency is declared or requested, Canton PD must assign an officer to be the liaison to the Officer of the Adjutant General to assist with coordinating response efforts.

Tactical teams are available for assistance as well. Canton PD relies on outside tactical teams such as METRO-LEC, according to the policy. Patrol forces are responsible for maintaining security until the outside tactical teams have arrived. The policy dictates the information to be gathered by Canton PD officers in preparation for a tactical team response. Canton PD allows for certain officers to be assigned to

the METRO-LEC tactical team when specific standards are met, as defined within the policy, and pursuant to approval from the Chief.

Special Events

Canton PD policy provides for a Special Event officer-in-charge to be appointed on the occasions of special events or activities occurring within the Town of Canton, including parades, sporting events, or any other event that requires advanced special planning. The policy outlines the responsibilities and expectations of the Special Events officer with the goal of ensuring community safety and traffic control.

Overall, the policy establishes protocol for preparing for emergencies, disasters, and special events of varying nature. Canton PD officers are given clear and detailed guidance on law enforcement procedures when responding to such events, with a clear emphasis on community safety.

RECOMMENDATIONS

None.

SS. Compliance with CALEA Standards on Specified Policies and Procedures

The Audit Team recently reviewed the CALEA Standards to assess the Canton PD's compliance thereto. CALEA Standards enhance public safety services by setting best practices, promoting excellence, building public trust, and identifying areas for improvement. The department received its Initial Accreditation in November 2007 and has been reaccredited multiple times since, with the latest being in 2021. CALEA currently offers two (2) Tiers of accreditation, with Tier 2 requiring compliance with 483 standards and Tier 1 with 183 standards. In addition to CALEA, the police department has been MPAC certified, and received the MPAC award in 2014 and 2018.

The CALEA accreditation is voluntary and typically takes up to twenty-six (26) months to complete. The MPA Commission offers two (2) tiers of professional credentialing programs, Certification and Accreditation, with the latter consisting of 216 standards, of which 96 are mandatory and 120 are optional.

Findings from the recent audit show that the Canton PD does not currently hold a CALEA accreditation. Although the department's written Policies and Procedures align with the CALEA standards, the accreditation has not been consistently renewed annually over the past 17 years.

RECOMMENDATIONS

The Audit Team recommends updating the CALEA accreditation or incorporating MPAC standards into the existing Policies and Procedures.

Furthermore, a comparison between CALEA and MPAC standards reveals that while both organizations assess law enforcement agencies, they serve different purposes with varying

assessment methods. CALEA aims to improve public safety services through professional standards, while MPAC assesses a wide range of performance metrics.

It is advised that the Canton PD take steps to address the discrepancies in accreditation and standards compliance to ensure accountability and adherence to best practices in law enforcement.

II. Officer Personal Vehicle Use

The Audit Team reviewed the Canton PD policy on Canton PD equipment, specifically department vehicle use for the Canton Police Department: Rules, Regulations and Policies booklet, Section IV “General, Employment and Operations” subsection P. “Equipment.” The policy prohibits any member of the Canton PD from misusing or abusing a city-owned vehicle and requires that all accidents involving a police vehicle be investigated by an outside agency.

Canton PD’s rules and regulations Section 4.14 discusses Police Vehicle Readiness and aligns with CALEA Standards 41.1.3 / 41.3.1 / 41.3.2 / 41.3.3 / 41.3.5 and 61.3.3. The policy references Massachusetts General Laws Chapter 89, Section 7-B as a guideline for driving operations of a police vehicle. Regarding personal use of police vehicles, the policy notes that no person shall be permitted to be an occupant or ride in the department vehicle, except when necessary for the performance of duty, or otherwise approved by the Chief of Police.

The Audit Team reviewed the “Town of Canton Contract of Employment – Police Chief” as it relates to vehicle use. The contract stipulates that the Chief of Police is authorized to use a municipally supplied vehicle for her unrestricted personal use as well as commuting to and from work, consistent with rules and regulations established from time to time by the Select Board.

Canton Police Department Rules and Regulations Section 4.3, “Use of Department Vehicles/Equipment” states Canton PD officers are not permitted to use any department vehicle outside of regular shift duties, or on a detail, without the prior approval of the Deputy Chief of Operations. Officers assigned a take home vehicle may not use the vehicle for “personal use” unless approved in their union or personal contract.

RECOMMENDATIONS

None.

UU. Overtime Policy and the Adherence of the Overtime

Contract Rules regarding “Minimum Manning” play a critical role in expenditures of the overtime budget.

From July 1, 2024, through December 31, 2024, Canton PD expended **\$142,462.81** (12101-51320) to fill shift work for officers using sick, vacation and personal days. [**Note:** *One (1) sergeant is on military leave.*]

In addition, Chief Rafferty utilized forfeiture funds, **\$378,244** from the Equitable Sharing Funds to fund overtime expenses for shift work.

Line-item overtime includes vacation, administrative leave, military leave, and detective overtime for investigations.

Patrol Shift Minimum Manning

- **Day Shift** – Four (4) patrol officers and one (1) sergeant.
- **Second Shift** – Four (4) patrol officers and one (1) sergeant.
- **Third Shift** – Three (3) patrol officers and one (1) sergeant.

One (1) additional patrol officer serves as a dispatcher on all three (3) shifts. Due to staff shortages, military leave, sick time, and vacation time, a shortage of patrol staffing results in overtime for patrol officers and sergeants.

Deputy Chief of Police Thomas Keleher audits overtime expenditures on a quarterly basis.

RECOMMENDATIONS

As stated in *Section 6: Management Operations and Culture*, we recommend adding additional officers to the organization table once the department gets to full staff. The additional officer positions will reduce the amount of overtime funding required now to meet minimum staffing requirements.

VV. Use of Personal Cell Phones

The Audit Team reviewed Canton PD policy 2.12: Guidelines and Policies Concerning Personal cell phones. Every employee (officer) must possess a mobile phone for departmental communication purposes and must promptly inform the department of any changes to their contact number. The Audit Team found that Canton PD officers are in compliance with this policy. Officers often utilize personal phones to photograph crime scenes, which is only permissible as a last resort under current policy and procedure No 6.01.

Equipment, Telephone and Radio Use Including Personal Cell Phone Policy

The Canton PD has a policy regarding the use of personally owned equipment or devices for photographing evidence at crime scenes. The policy states that personal cell phones can be used as a last resort when

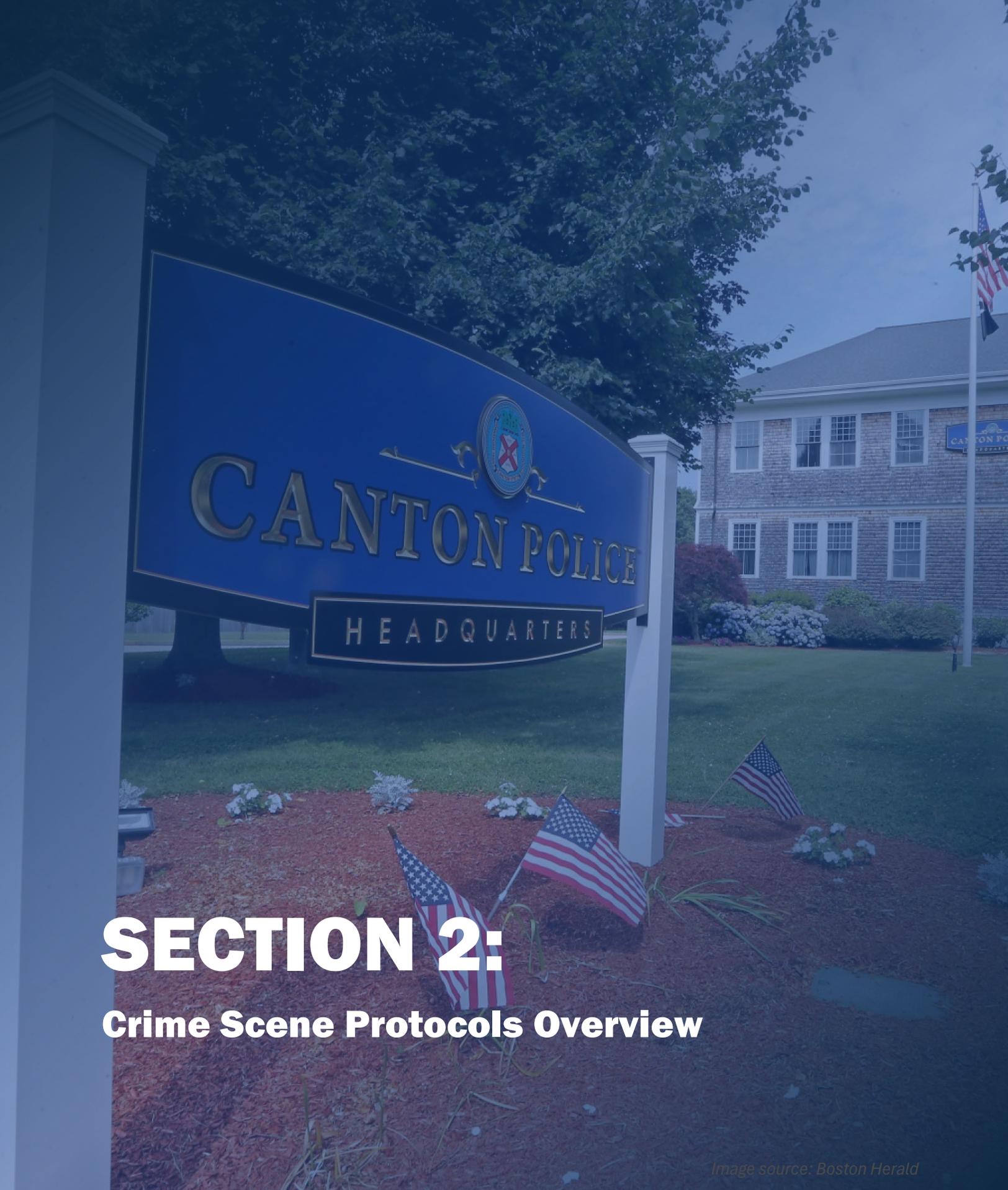
department-issued equipment is not available. However, during an audit, it was discovered that officers and detectives were not provided with department-issued mobile phones.

Following a meeting between Chief Rafferty, Select Board Chair Michael Loughran, and the Audit Team, it was recommended that all Canton PD officers should be equipped with department-issued mobile phones. As a result, in January 2025, Chief Rafferty issued mobile cellular phones (Apple iPhones) specifically for the detective division. A new policy was implemented to ensure that only department-issued mobile phones are used to photograph evidence at crime scenes, in accordance with policy 83.2.2, which states that digital cameras should be used for this purpose. The Audit Team interviewed department employees who stated that often they utilize personal phones or laptops to photograph crime scenes. The Audit Team recommended that all Canton PD sergeant vehicles should be equipped with digital cameras, and mobile phones be issued to all Canton PD officers.

RECOMMENDATIONS

The Audit Team found that Canton PD officers are permitted to use personal phones for contacting witnesses or confidential sources during the course of their duty and utilizing personal phones and to photograph crime scenes as a last resort when department cameras or computers are not available. This is an alarming practice that has become routine out of necessity.

It is recommended that all officers of the Canton PD be issued departmental phones. At a minimum, all officers at the rank of sergeant and above, as well as the detectives in the investigative division should be issued departmental phones. The issues taking place in current prosecutions clearly demonstrate the need to have departmental phones, as well as the negative consequences of utilizing personal phones for investigative work.



SECTION 2:

Crime Scene Protocols Overview

Image source: Boston Herald

SECTION 2: CRIME SCENE PROTOCOLS OVERVIEW

An audit was conducted to review the crime scene protocols, policies, and compliance standards in place at the Canton PD at the time of various incidents. The Audit Team assessed various aspects related to crime scene investigation procedures, evidence collection, preservation, and adherence to industry standards. The review included staffing of trained detectives, equipment, crime scene documentation and existing protocols for responding to crime scenes in inclement weather.

a) Analysis of Crime Scene Protocols:

The Audit Team reviewed Canton Police Department (Canton PD) Policy and Procedure, specifically focusing on Evidence Collection No. 6.01 dated October 31, 2013. The policy outlines the responsibilities of first responders, including evidence preservation and protection of the crime scene. Policy designates the sergeant or shift commander to take command of crime scenes and mandates the involvement of trained personnel for evidence collection. Canton PD collaborates with external agencies like Plymouth County Sheriff’s Office and Massachusetts State Police (MSP) for crime scene processing.

b) Evaluation of Adherence to Procedures:

The Audit Team carefully examined a set of crime scene incident reports spanning ten (10) years. While some investigations were found to be within policy guidelines others violated protocols and policy. The Audit Team found failures in compliance with existing Canton PD policies regarding crime scene documentation, photography, processing, and preservation as required by Canton PD's Evidence Collection and Preservation Policy.

c) Assessment of Evidence Collection and Compliance:

The Bureau of Criminal Identification Unit at Canton PD is responsible for maintaining a Crime Scene Search Kit for evidence processing. Canton PD has agreements with the Plymouth County Sheriff’s Office and the MSP for utilizing their crime scene technicians in cases where additional capabilities and expertise are deemed necessary. Notification to and relinquishing the investigation to the MSP is mandatory in instances involving unattended deaths as mandated by Massachusetts Law.

d) Establishment of Protocols for Inclement Weather:

Updated protocols related to evidence collection and preservation, including procedures for handling crime scenes in inclement weather, were introduced by Chief Helena Rafferty on October 31, 2023. These protocols align with CALEA standards and best practices.

e) Review of Documentation Practices:

Documentation practices related to crime scene investigations, evidence processing, civilian complaints, and internal affairs investigations were thoroughly examined during the audit and detailed in Sections, 2, 3, and 14. The Audit Team reviewed the crime scene response and investigative procedures carried out by Canton PD officers in relation to incidents involving Boston Police Officer John O’Keefe's severe injury and subsequent death on January 29, 2022 at 34 Fairview Road. The team compared these actions to established policies, regulations, and requirements to assess compliance. Moreover, the audit included a

review of Canton PD's crime scene response and investigative steps following the Sandra Birchmore death investigation on February 4, 2021.

f) Review prior crime scene training and suggest recommended training and process improvements:

While newly promoted Sergeant's receive additional formal training, Canton PD officers promoting into the position of detective receive no additional formal training. The Audit Team recommends formal training in the areas of: Crime Scene Preservation, Crime Scene Photography, Electronic Communications and Exploitation, Interviewing Techniques, Crime Scene Documentation, Evidence Collection and Legal Admissibility.

January 29, 2022

Case File Audit of the Death of Boston Police Officer John O’Keefe



Boston Police Officer John O’Keefe

As requested by the Canton Police Audit Committee and Canton Town residents, the Audit Team reviewed the initial police response, crime scene investigative actions, police reports, evidence collection, and evidence documentation to ensure policy and procedures were followed by Canton PD surrounding the death investigation of Boston Police Officer John O’Keefe.



Photo Taken on February 2, 2022, of 34 Fairview Road, Canton, MA by Craig Walker, Boston Globe, Getty Images

Canton PD Calls for Service at 34 Fairview Road, Canton, MA., on January 29, 2022

05:04 a.m.	<ul style="list-style-type: none"> • Canton PD receives a call on January 29, 2022, at approximately 05:04 a.m., Kerry Roberts called the Canton Police Department (Canton PD). Ms. Roberts reported that Mr. O’Keefe had not returned home the previous evening. Reference is made to call for police on January 29, 2022, by Ms. Roberts. 	 	<p><i>Audio clip of the Canton PD call placed by Ms. Roberts to report that Mr. O’Keefe had not returned home:</i></p> <p>https://drive.google.com/file/d/1hQtIeFc4mSnoYWSCYfnD23Gf68RZLDPI/view</p>
06:04 a.m.	<ul style="list-style-type: none"> • Norwood PD/Canton PD received a 911 call for police from Jennifer McCabe, who reported that there was a guy unresponsive in the snow at 34 Fairview Road. Ms. McCabe identified the male as John O’Keefe. • Ms. McCabe’s call was passed over to Canton Fire Rescue Emergency Medical Service (EMS) wherein Ms. McCabe stated she thinks he [Mr. O’Keefe] passed away. Reference is made on the 911 call to police. • Sergeant Goode dispatches Officer Saraf and Mullaney to 34 Fairview Road. • Sergeant Goode notifies Sergeant Lank and Lt. Gallagher to respond. 	 	<p><i>Audio clip of the 911 call placed by Ms. McCabe on the morning of January 29, 2022 at 34 Fairview Road:</i></p> <p>https://drive.google.com/file/d/1sLUL4dJQ2m7wrJIZ78nCxmp5lbpl8Alv/view</p>
06:09 a.m.	<ul style="list-style-type: none"> • Canton PD Officer Steven Saraf arrives at 34 Fairview Road, observed Ms. McCabe, Karen Read and Kerry Roberts, who were over the body of John O’Keefe, performing CPR. They reported he was not breathing. Officer Saraf noted Mr. O’Keefe was bleeding and his skin was cold to the touch. Moments later, Canton Fire responded and took over first aid response. Officer Saraf reported Karen Read was distraught and could not tell him what happened. 		
06:12 a.m.	<ul style="list-style-type: none"> • Canton PD Officer Mullaney arrived and observed a female conducting CPR on John O’Keefe. Officer Mullaney reported he arrived in concert with fire rescue personnel and assisted them with placing John O’Keefe in the rescue. Officer Mullaney reported Ms. Read was hysterical and made statements such as “Is he dead” and “that’s my boyfriend.” • Officer Mullaney reported that Sergeant Goode told Ms. Roberts to take Ms. Read home. • Officer Mullaney reported Read’s father called Canton PD and reported Karen Read was suicidal and Sergeant Goode ordered Ms. Roberts to return to the scene with Ms. Read. • Ms. Read was then recommended for medical evaluation, Section 12, and transported to Good Samaritan Hospital for evaluation. 		

<p>06:12 a.m.</p>	<ul style="list-style-type: none"> • Canton Fire Department and Emergency Medical Service (EMS) arrived and rendered first aid to Mr. O’Keefe
<p>06:14 a.m.</p>	<ul style="list-style-type: none"> • Canton PD Sergeant Sean Goode arrived at the scene and noted that Mr. O’Keefe was in the ambulance (rescue) with paramedics. Ms. McCabe, Ms. Read, and Ms. Roberts were standing outside the rescue. • Sergeant Good reported that he asked Ms. Read how she arrived at 34 Fairview Road and Ms. Read stated “I don’t know.” • Sergeant Goode reported that Ms. Read was yelling and was acting hysterical, stating “is he dead?” Sergeant Good reported that he asked Ms. Read if she drove to 34 Fairview Road last night and she replied “I think so” and “I can’t remember.” • Ms. Read and Ms. McCabe were placed in the backseat of patrol car 682. • On scene, Ms. McCabe provided Sergeant Goode with a timeline of events leading up to the discovery of John O’Keefe. • Sergeant Good reported that he interviewed Ms. Roberts on scene and she gave him a timeline of events that led her to 34 Fairview Road.
<p>06:24 a.m.</p>	<ul style="list-style-type: none"> • Canton PD Detective Sergeant Lank arrived at the scene and took command. Sergeant Lank noted that Ms. Read was hysterical and attempts to obtain a statement from her were unsuccessful. According to the officers on scene, Ms. Read mentioned that she did not remember being at 34 Fairview Road.
<p>06:38 a.m.</p>	<ul style="list-style-type: none"> • Sergeant Lank contacted MSP CPAC Unit and briefed a summary of the condition of John O’Keefe. Sergeant Lank receives a return call from Trooper Michael Proctor who was briefed on the situation. • While Canton PD Officers were at the scene, they reported they heard Ms. Read make statements, such as “is he going to die?” and “is he dead?” and further noted that Ms. Read was hysterical. Sergeant Lank noted that Sergeant Goode advised that Mr. O’Keefe had been bleeding from his nose and mouth, and had swelling around his eyes. • Sergeant Lank took a statement from Jennifer McCabe who provided a timeline of the events that led Ms. McCabe, Ms. Roberts and Ms. Read to 34 Fairview Road. • After taking a statement from Ms. McCabe on scene, Sergeant Lank reported he contacted the owners of 34 Fairview Road, Brian and Nicole Albert, who provided statements. <i>[Note: Matthew McCabe was at 34 Fairview Road at this time and gave a statement to Sergeant Lank.]</i>



Canton PD Dashcam Photo of MS. Read on the roadway in front of 34 Fairview Road on the morning of January 29, 2022.

<p>09:00 a.m.</p>	<ul style="list-style-type: none"> • Sergeant Lank was contacted at Canton PD by Ms. McCabe who requested Sergeant Lank return to 34 Fairview Road. Sergeant Lank and Lieutenant Paul Gallagher responded to 34 Fairview Road, and spoke to Ms. McCabe who advised that when Ms. McCabe, Ms. Roberts and Ms. Read were driving around looking for John O’Keefe, Ms. Read stated something to the effect “I hope I didn’t hit him,” and believed Ms. Read made these statements on scene in the presence of a police officer. <i>[Note: This information is documented in Sergeant Lank’s police report and supplemental narrative report of events.]</i>
<p>Approximately 06:24 a.m.</p>	<ul style="list-style-type: none"> • Canton Fire Rescue transported Mr. O’Keefe to the Good Samaritan Hospital in Brockton, MA. • Canton Fire Rescue transported Ms. Read to the hospital for evaluation after her father William Read called Canton PD and claimed she was suicidal.
<p>07:50 a.m.</p>	<ul style="list-style-type: none"> • Mr. O’Keefe is declared dead at Good Samaritan Hospital.

34 Fairview Road Crime Scene Search

Canton PD Detective Team: Sergeant Sean Goode, Sergeant Michael Lank and Lieutenant Paul Gallagher. *[Note: Sergeant Lank notified MSP Norfolk County Investigative Unit at 06:38 a.m., who reported they were not responding to the scene.]*



Canton PD Photos of 34 Fairview Road, and the location of Mr. O’Keefe taken on January 29, 2022

Lieutenant (Lt.) Paul Gallagher arrived at 07:00 a.m. and was brought to the area where John O’Keefe’s body was found.

Due to the heavy snow and winds, detectives utilized a leaf blower to identify evidence.

Canton PD took photos and videotaped the evidence collection. Both Sergeant Lank, Sergeant Goode, and Lieutenant Gallagher searched the area and discovered a broken drinking glass and small



Photo taken on January 29, 2022, at 34 Fairview Road, Canton PD crime scene search using a leaf blower.



Canton PD Lieutenant holding the cocktail glass seized from the yard at 34 Fairview Road.

amounts of blood. Canton PD detectives reported that they only searched an area around where Mr. O’Keefe’s body was found which would not have encompassed the entire yard area.

Canton PD detectives secured the blood evidence in red solo cups and placed them in a Stop & Shop grocery bag. The drinking glass was secured in an evidence bag, and all evidence was taken to Canton PD. The cocktail glass was turned over to the MSP crime technicians for testing on February 1, 2022. Detectives said the blood evidence was secured in a refrigerator in the evidence/property room. MSP crime lab technicians took custody of the evidence on February 1, 2022.

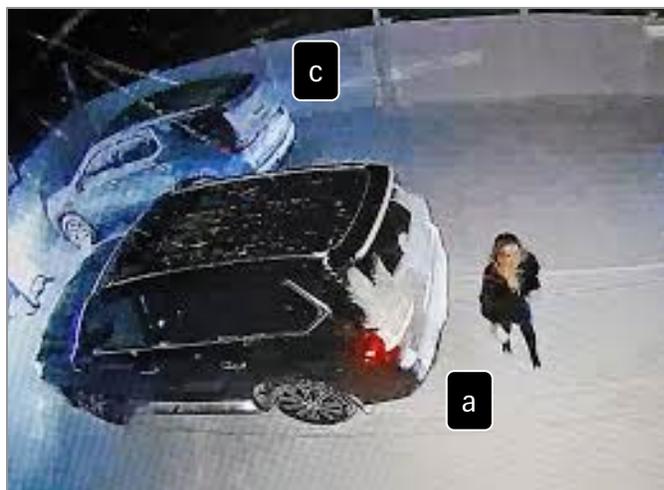
Thomas Keleher, Canton PD Deputy Chief of the Investigative Division, who resided across the street from 34 Fairview Road provided the solo cups to detectives. Deputy Chief Keleher recused himself from the investigation because he knew the Albert family, who were the owners of the home at 34 Fairview Road.

Canton PD detectives cleared the scene at 34 Fairview Road sometime after 08:00 a.m. and responded to the Canton PD with the evidence collected.

Later in the morning, at approximately 0900 a.m., Ms. McCabe called Sgt. Lank at the Canton PD and asked him to come to 34 Fairview Road. Minutes later, Sgt. Lank and Lieutenant Gallagher responded to 34 Fairview Road and were met by Ms. McCabe who reported that she recalled when Ms. Read was driving with her (Read) she said something to the effect of “I hope I didn’t hit him.” Ms. McCabe said Read also made the same statements at 34 Fairview Road when they (Read, Roberts and McCabe) found John O’Keefe. *[Note: This information was documented in Sgt. Lank’s investigative reports].*

Canton PD Detectives said they did not have probable cause to obtain a search warrant and did not request permission to search the Albert house, as they had no information that Mr. O’Keefe ever entered the home at the time.

[Note: A search warrant infringes on an individual’s Fourth Amendment rights and requires substantial evidence or witness testimony, neither of which was present in this case. Moreover, Canton PD did not seek permission to search the house as there was no indication that Mr. O’Keefe was inside, or that a crime had occurred inside the house.]



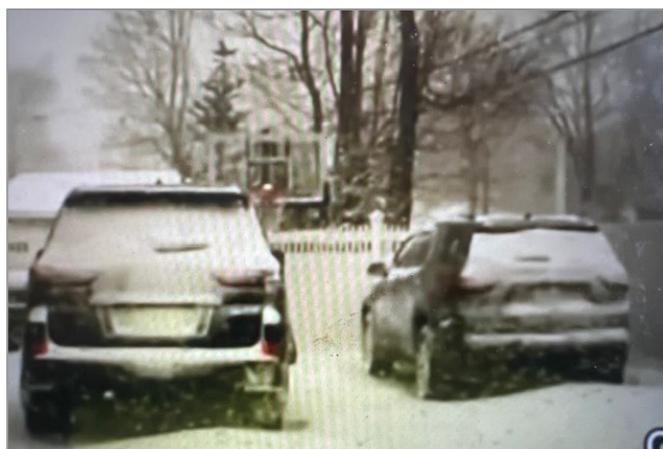
Ring Camera Photos of Ms. Read’s Lexus SUV [a], Ms. Roberts SUV [b], and Mr. O’Keefe’s SUV [c] at Mr. O’Keefe’s house at around 05:35 a.m. on January 29, 2022.

At approximately 08:23 a.m., Canton PD officers responded to the O’Keefe residence at 1 Meadow Lane and conducted a check on the well-being of Mr. O’Keefe’s niece.

Ms. Read’s Lexus SUV is pictured parked in the driveway. After leaving the hospital, Ms. Read, along with her family, went to 1 Meadow Lane and recovered her Lexus SUV LX 570.

Karen Read Arrested

On February 2, 2022, Ms. Read was arrested by Massachusetts State Police and was charged with manslaughter, motor vehicle homicide, and leaving the scene of a motor vehicle collision causing death. On June 10, 2022, a Norfolk County grand jury *indicted Ms. Read* on charges of second-degree murder, manslaughter while operating under the influence of alcohol, and leaving the scene of personal injury and death.



Canton PD Dashcam photo of Ms. Read’s Lexus SUV on January 29, 2022, at approximately 08:23 am., at Mr. O’Keefe’s driveway.

Attorneys for Ms. Read claimed that Mr. O’Keefe was assaulted, and his body was later placed outside of 34 Fairview Road, Canton, MA, as part of an alleged a coverup by law enforcement.

[Note: Our team has not discovered any information that would indicate that any actions by Canton PD officers or detectives were a part of a conspiracy to frame any individual for the murder of Mr. O’Keefe.]

Ms. Read’s first trial in Stoughton District Court ended on July 1, 2024, in a mistrial. Ms. Read faces a second trial beginning on April 1, 2025.

Video (files) Footage Evidence of Karen Read’s Lexus SUV 570 at Canton PD Sallyport

On January 29, 2022, MSP executed a search warrant for Ms. Read’s Lexus Sports Utility Vehicle (SUV) in Dighton, MA at Ms. Read’s parents' home. The Audit Team found MSP requested that Ms. Read’s vehicle be brought back to Canton PD. Chief Rafferty said this request was granted because the Canton PD is near the Norfolk District Attorney's Office and MSP did not have adequate temperature-controlled storage facilities close-by. MSP coordinated for the Lexus SUV to be towed to the Canton PD garage and arrived at the Canton PD garage at approximately 5:35 p.m. on January 29, 2022.

Canton PD video cameras documented the Lexus SUV arriving at the Canton PD sallyport on January 29, 2022. Shortly thereafter, MSP and Canton PD secured the vehicle with yellow tape (surrounding the SUV).

[Note: MSP crime scene technicians searched and processed the vehicle on February 1, 2022. Canton PD acknowledged and the Town of Canton has confirmed that one camera in the sallyport records abnormally in a mirrored fashion. Three (3) cameras in the Town of Canton have been found to have this issue and this camera malfunction is not isolated to only the Canton PD cameras.]



Photos from video footage of Ms. Read’s Lexus SUV at the Canton PD sallyport on January 29, 2022



Photo of Ms. Read’s SUV in the sallyport



Outside photos of the Canton PD garage

The Audit Team interviewed the Town of Canton Information Technology (IT) Specialist who stated that the Canton PD building has twenty-eight (28) cameras that are placed both inside and on the exterior of the building, including in the sallyport garage. The IT Specialist said most of the cameras installed are analog cameras (low resolution) and have been in place for many years.



Cameras located inside of the sallyport at Canton PD, and inside view of Bay #3

As part of the audit, a Canton PD Sergeant (retired) met with the Audit Team and advised he downloaded camera footage videos related to Karen Read’s Lexus SUV. Chief Rafferty said the vehicle was in the custody of Canton PD from January 29, 2022, until February 2, 2022.

The Audit Team also reviewed a memorandum sent to Chief Helena Rafferty on February 27, 2025, that detailed the following in summary.

Canton PD Sergeant wrote, beginning in February 2022, MSP Troopers requested copies of video from the Canton PD sallyport from January 29, 2022. Canton PD downloaded Video (1) and provided the exhibit to MSP.

In June 2023, again MSP requested video footage of Ms. Read’s Lexus SUV being brought into the Canton PD sallyport, specifically the outside camera footage. The Canton PD Sergeant stated he downloaded all video recordings that covered the period that Ms. Read’s Lexus SUV was held at Canton PD. *[Note: Due to the large size of the files, a Canton PD Sergeant separated the videos and saved them into six (6) hour blocks. The outside video footage was relinquished to the custody of the MSP.]*

In April 2024, while Ms. Read’s trial was being held, Chief Rafferty directed the Canton PD sergeant to download additional video footage from January 29, 2022, (the early morning hours footage) because it showed ATF Special Agent Brian Higgins arriving at Canton PD. The video was downloaded and turned over to the MSP. On or about January 24, 2025, Canton PD produced another video of Ms. Read’s Lexus SUV arriving at the Canton PD sallyport on January 29, 2022, and the video was downloaded and turned over to the MSP.

The Audit Team learned that the video footage files related to Ms. Read’s Lexus SUV were saved in Canton PD computer database folders. The Audit Team was informed that all video evidence saved related to Ms. Read’s Lexus SUV was on a Canton PD workstation computer. Chief Rafferty confirmed no personal computers were utilized for video storage and/or used for any file storage.

Canton PD confirmed all video files turned over to MSP or the Norfolk County District Attorney’s Office were downloaded on a compact disc or USB device.

Secondary Search of 34 Fairview Road

The Audit Team learned from Canton PD that on January 29, 2024, at approximately 5:45 p.m., MSP Special Emergency Response Team (SERT) conducted a second search at 34 Fairview Road. During that search, pieces of a red plastic taillight were recovered in addition to a Nike shoe. Over the next several days, as the snow melted, numerous taillight pieces were recovered at 34 Fairview Road by investigators informally as they traversed the area. Approximately 45 pieces in total were discovered. Conditions at the scene of the search were less than ideal. Significant snowfall had accumulated with the center of the street being plowed, pushing snow to the side of the road. *[Note: The snowstorm accumulated at least 20 inches of snow in Canton, MA.]*



Pieces of a red taillight next to the hydrant at the edge of the property line for 34 Fairview Road



A taillight and a Nike shoe seized at 34 Fairview Road

On February 4, 2022, at 8:50 a.m., Canton Police Chief Kenneth Berkowitz summoned Sgt. Lank to 34 Fairview Road to retrieve pieces of what he believed to be part of a red plastic taillight near where John O’Keefe was discovered. Sgt. Lank along with a Canton PD Detective responded to 34 Fairview Road and maintained a presence and took photos until Massachusetts State Police Trooper Yuri Bukhenik responded and took custody of the evidence.

Observations and Findings

Canton PD detectives did not have access to evidence collection kits (in Canton PD vehicles or at the Canton PD headquarters) to secure the blood evidence located near the body of Mr. O’Keefe at 34 Fairview Road. Canton PD detectives stated they only utilized solo cups as a last resort to preserve the forensic evidence until it was transferred to the MSP crime scene forensic unit.

The Audit Team found Canton PD did not follow policy and procedures related to evidence collection and preservation. The Audit Team found that there were no Bureau of Criminal Identification Unit(s) initially on scene, nor were crime scene kits available or used for evidence collection. *[Note: According to the Massachusetts Crime Lab, plastic is not recommended for packaging or storing moist or wet evidence items due to the acceleration of the decomposition of biological materials on the evidence.]*

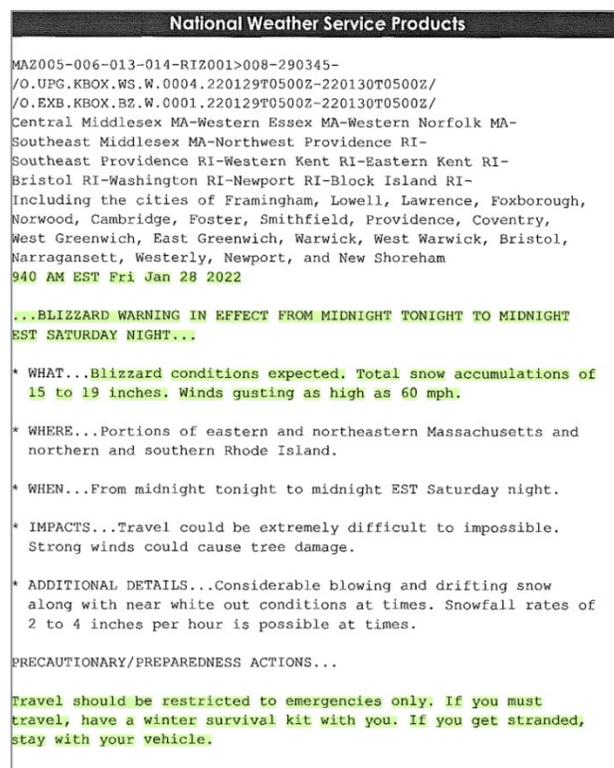
- No photos were taken of John O’Keefe (exact location of where his body was found) by Canton PD officers at 34 Fairview Road.
- Canton PD officers used *personal phones* to photograph and video the evidence collection at 34 Fairview Road. Pursuant to Canton PD policy, a digital camera or laptop computer should have been used to photograph the crime scene.
- Canton PD first officer on the scene should have photographed John O’Keefe where he was found before he was moved by fire rescue to the ambulance.
- **Jennifer McCabe** and **Kerri Roberts** should have been interviewed (and the interviews should have been recorded) at the Canton PD after Mr. O’Keefe was taken to the hospital. Both witnesses accompanied Ms. Read and drove with Ms. Read to 34 Fairview Road.
- Nicole and Brian Albert should have been interviewed at Canton PD.
- Both MSP and Canton PD failed to maintain police presence at 34 Fairview Road to maintain the integrity of the crime scene. Both agencies should have coordinated to have an officer(s) maintain a presence at 34 Fairview Road, pending the second search by MSP.

The Audit Team found there was incomplete coordination requesting all video files in the custody of Canton PD regarding the Canton PD sallyport camera footage of Karen Read’s Lexus SUV. The vehicle was maintained from January 29, 2022, to February 2, 2022, at Canton PD.

ALL video footage (files) maintained on Canton PDs computer systems of Karen Read’s Lexus SUV while it was housed at Canton PD from January 29 through February 2, 2022, should have been requested and turned over early in the Karen Read case to lead investigators for any action as deemed appropriate.

Due to the blizzard conditions on the morning of January 29, 2022, and the coordination of personnel, the MSP waited until after 4:45 p.m. to begin coordinating a secondary search of the crime scene at 34 Fairview Road.

- Each piece of evidence should be carefully logged and tracked to establish the timeline of its handling.



The National Weather Service broadcasted a severe blizzard warning for Canton, Massachusetts recommending travel only in emergency circumstances.

Officers should refrain from using personally owned phones to video or photograph crime scenes.

- Once evidence is processed, it should be stored in a secure and controlled environment, such as an evidence room with restricted access.
- If there is any doubt about the legal requirements, it is essential to consult with the department's legal advisors to ensure the integrity of the investigation.

RECOMMENDATIONS

Recommendation 1:

Increase training opportunities for patrol officers and sergeants to access crime scene management training and witness interview and interrogation training.

Recommendation 2:

The Chief of the Investigations Division should review all death investigation police reports and ensure all investigative avenues were completed before reports are finalized. Ensure that all documentation is prepared in a format that can be used as evidence in court.

Recommendation 3:

Rewrite Canton PD policy and procedure related to utilization and authorization of personal cell phones to photograph or video crime scenes. All policy should be changed to require the use of ONLY department issued/owned cell phones to photograph crime scenes. No use of personal cell phones should be allowed.

Recommendation 4:

All Sergeant and Patrol vehicles should be equipped with full crime scene kits including bags, sealing equipment and digital cameras. Department phones should be placed in patrol cars for officers to utilize to document crime scenes. Patrol Officers and Sergeants advised the Audit Team that Canton PD has one (1) digital camera at headquarters.

Recommendation 5:

Prevailing law dictates that the MSP or the District Attorney's office will lead death investigations, but it does not preclude the Canton PD from assisting MSP in such investigations. The Audit Team recommends Canton PD should engage and support MSP and District Attorney's Office as deemed appropriate.

Corrective Action

On October 31, 2023, Chief Helena Rafferty updated the Canton PD Policy and Procedures related to Evidence Collection and Preservation. Reference is made to Canton PD Order Number 6.01. The new policy includes protocols including handling crime scenes in inclement weather. The new policy and procedures regarding evidence collection and preservation are consistent with CALEA standards and best practices.

The Audit Team verified that the department purchased crime scene kits that are now available for crime scene collection for all Canton PD officers. Audit Team discovered that Canton PD has only one (1) digital camera which is assigned to the detective division. *[Note: Chief Rafferty advised she is in the process of purchasing new digital cameras.]*

Audit Team recommended that officers should receive crime scene training, which Chief Rafferty confirmed she supports. In February 2025, Chief Rafferty, in coordination with the Information Technology Specialist, purchased five (5) iPhones for utilization for the Detective Division.

Conclusion

The Audit Team found no evidence supporting claims that any Canton PD officers tampered with evidence located at the 34 Fairview Road crime scene. The Audit Team further found that the only Canton Police Officers that should have been recused from the police investigation at 34 Fairview Road were Detective Kevin Albert and Deputy Chief Keleher. Canton PD has full investigative authority to work in concert with the Norfolk District Attorney's office and Massachusetts State Police on death investigations.

Based on interviews and review of investigative reports, the Audit Team determined that Canton PD as first responders worked on the initial crime scene and conducted initial interviews of some witnesses at the scene. The Audit Team did find policy and procedure failures related to crime scene processing.

The Audit Team has determined that Canton PD's internal controls and compliance oversight have improved since the initiation of this Audit and that effective leadership is in place to supervise future critical incidents. The Audit Team has advised Chief Rafferty regarding our recommendations and Chief Rafferty has confirmed the implementation of new crime scene procedures.

February 4, 2021

Case File Audit of the Death of Sandra Birchmore



Sandra Birchmore

Sandra Birchmore Crime Scene, 3307 Windsor Woods, Canton, Massachusetts

As part of the Canton Police Department crime scene audit the Audit Team reviewed the Canton PD police response to Windsor Woods 3307, Canton, MA, beginning on the morning of February 4, 2021. Our team carefully reviewed Canton PD police reports and crime scene documentation surrounding the discovery of the death of Sandra Birchmore on February 4, 2021.

Canton PD Initial Response to Sandra Birchmore's Crime Scene on February 4, 2021

- | | |
|-------------------|--|
| 10:00 a.m. | <ul style="list-style-type: none">February 4, 2021, Sharon School Resource Officer contacted the Canton PD School Resource Officer to check on Sandra Birchmore. Ms. Birchmore worked at East Elementary School located in Sharon, Massachusetts and had not shown up for work and employees were unable to contact her. |
| 10:55 a.m. | <ul style="list-style-type: none">Canton PD Officers responded to 3307 Windsor Woods to make contact with Ms. Birchmore, with negative results (no one answered the door).Canton PD observed Ms. Birchmore's vehicle was in the apartment complex parking lot, covered in snow and had not been moved since the snowfall on Monday, February 1, 2021.Canton PD officers spoke with a property manager, who provided a key to access the apartment.Canton PD officers entered the apartment and observed Ms. Birchmore in the bedroom seated on the floor with a belt/lanyard string/rope around her neck, secured around the bedroom closet door handle and appeared deceased. Ms. Birchmore's cell phone was on the floor located close to her body. |

	<ul style="list-style-type: none"> • Canton PD officers contacted Canton PD supervisors, who ordered officers to hold and secure the scene until Canton PD detectives could arrive. Shortly thereafter, Canton PD detectives arrived at the scene.
<p>11:46 a.m.</p>	<ul style="list-style-type: none"> • Canton Fire Rescue/Paramedics arrived and pronounced Ms. Birchmore deceased. • Pursuant to Massachusetts General Laws, Canton PD notified MSP Troopers assigned to the Norfolk District Attorney’s Office. Canton PD also notified the medical examiner’s office. Both the MSP and medical examiner’s office responded. • Canton PD Detective and MSP Trooper entered the apartment and after viewing the apartment proceeded to the bedroom where they found Ms. Birchmore. • MSP Crime Scene Services processed and digitally photographed the scene. Ms. Birchmore’s mobile phone and laptop computer were seized. • Canton PD cleared the scene after the medical examiner’s office removed Ms. Birchmore from the apartment.

- Ms. Birchmore’s next of kin contacted the Canton PD by phone and was notified by the Canton PD that Ms. Birchmore was found deceased.
- On February 5, 2021, Canton PD Sergeant received an electronic message (e-mail) from a witness who related she had information regarding Ms. Birchmore’s death. This information was passed to MSP for action.
- On February 5, 2021, Ms. Birchmore’s next of kin, stated she was aware that Ms. Birchmore was pregnant and that the father of the baby was Stoughton Police Officer Matthew Farwell.

Follow-up Investigation by Canton PD on February 6, 2021

- On February 6, 2021, Canton PD detectives conducted follow-up investigation at Windsor Woods and interviewed a witness who advised Canton PD detectives that Ms. Birchmore was involved in an intimate relationship with a police officer, who was alleged to be the father of her unborn child.
- Canton PD detectives received information from a second witness who said Ms. Birchmore had been dating a police officer, who did not want the baby, and if Ms. Birchmore did not get an abortion, he [boyfriend] would take care of the problem himself.
- On February 6, 2021, Canton PD and MSP coordinated a second review of video footage at Windsor Woods.
- After the review of video footage investigators identified a male subject, (later identified as Stoughton Police Detective Matthew Farwell) arrive at Windsor Woods on February 1, 2021, at 9:27 p.m. and departed at 9:56 p.m. Mr. Farwell was observed entering the apartment complex lobby and entering



Photos from video of Matthew Farwell at Windsor Woods-Canton, MA: lobby, arrival, and departure.

the elevator. Video revealed Mr. Farwell was at Windsor Woods for approximately 28 minutes.

[See Video: <https://crimetimelines.com/wp-content/uploads/2024/06/Surveillance-Apt-Video.mp4>]

- Canton PD detectives learned from a Windsor Woods maintenance worker that the person in the video looked like the man who helped Ms. Birchmore move into her apartment.
- On February 6, 2021, Canton PD and MSP conducted a second search of Ms. Birchmore’s apartment.



Video of Matthew Farwell entering the Windsor Woods apartment complex in Canton, MA

*[Note: After a lengthy federal investigation, **Matthew Farwell** was indicted by a federal grand jury in Boston on August 27, 2024. Mr. Farwell is accused of killing Sandra Birchmore on February 1, 2021, in Canton, Massachusetts by strangulation to prevent her from providing information to law enforcement regarding potential federal crimes.]*

RECOMMENDATIONS

Pursuant to Canton PD policy and procedures, officers should digitally photograph all crime scenes and sketch the scene.

The Audit Team reviewed a Canton PD police report prepared by a detective who wrote that Sandra Birchmore died of a suicide. We recommend death investigative reports be reviewed by the **Chief of the Investigations Division and approved prior to being finalized.**

As stated above the Canton PD should remain involved in death investigations that occur within the Town of Canton.

Conclusion

On February 4, 2021, Canton PD officers conducted the initial police response to the Sandra Birchmore crime scene and followed all procedures related to crime scene preservation. Canton PD detectives conducted follow-up investigation with MSP detectives on February 6, 2021, at 3307 Windsor Woods and received critical information from witnesses.

As a result of investigative efforts investigators identified Stoughton Police Officer Matthew Farwell was present at Ms. Birchmore’s apartment on the evening of February 1, 2021. Further, witness interviews revealed Mr. Farwell was involved in a long-standing intimate relationship with Ms. Birchmore.

Chief Rafferty advised the Audit Team after February 6, 2021, Canton PD relinquished all investigative authority of the Sandra Birchmore death investigation to the Massachusetts State Police and Norfolk District Attorney’s Office.

December 5, 2018

Case File Audit of the Death of Craig Casey

2018 Accident Scene and Recovery for the Body of Craig Casey in Canton, MA

As part of the audit, the Audit Team reviewed an accident investigation report documenting an incident that occurred on Pleasant Street in the Town of Canton on December 24, 2018, around 05:15 a.m. Canton PD reported they responded to the scene of a one car accident on Pleasant Street and conducted a preliminary investigation. No driver was located near the vehicle and the Canton PD Officers initially believed that the operator had fled the scene. Canton PD officers reported they searched the area on foot, with the assistance of several community members with negative results. Canton PD officers remained on scene for about 45 minutes until the car was towed. *[Note: The operator of the car had fled the scene of an accident in nearby Stoughton minutes before he crashed his car on Pleasant Street in Canton].*

After the Canton PD cleared the scene at approximately 06:00 am, one hour later at approximately 7:00 am, a passing motorist observed Casey's body, (first reported to dispatch as someone sleeping on the lawn), on the lawn of a house at 676 Pleasant Street. Canton PD responded back to the scene on Pleasant Street, along with Town of Canton fire rescue and found Mr. Casey who was pronounced dead. Canton PD officers made notifications to the Massachusetts State Police (MSP) and to Norfolk District Attorney's Office, who responded to the scene and conducted further investigation. The Medical Examiner's office arrived and took custody of the body (Casey).

Findings and Observations

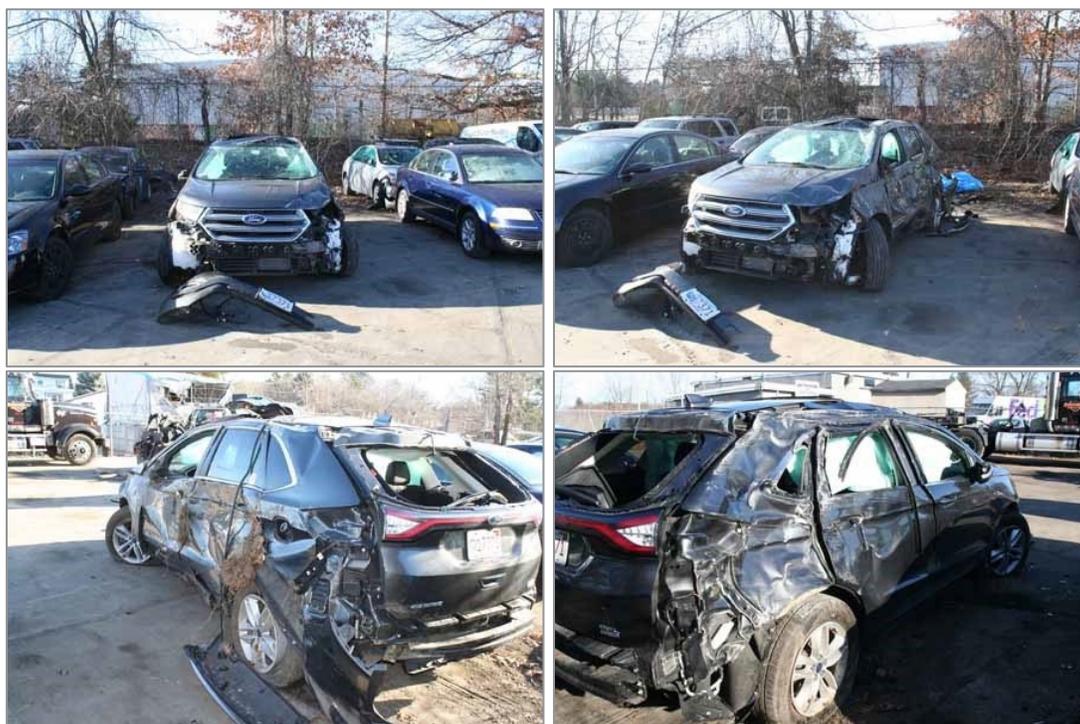
We found the Canton PD did not document the accident scene with photos of the vehicle or take photos of where the body was found. We found the Canton PD did not send a supervisor (Sergeant or Lieutenant) to 676 Pleasant Street to provide guidance or operational command. No witness statements were taken by officers at 676 Pleasant Street as the result of the subsequent 07:00 am call.

The Audit Team reviewed the MSP accident investigation report which detailed that on Monday December 24, 2018, at approximately 05:15 a.m., a 2016 Ford Edge (vehicle) was traveling north on Pleasant Street in Canton, at a high rate of speed (over 80 mph) and upon passing Sawyer Avenue the Ford began to negotiate a moderate left bearing curve. The vehicle exited the eastern edge of the roadway and began to

enter a counterclockwise rotation. The vehicle traversed several driveways before impacting a large diameter tree. After impact the vehicle rolled, eventually coming to rest right side up facing southwest. According to reports prepared by the MSP Collision Analysis and Reconstruction Section on December 24, 2018, during the crash (rollover sequence) the operator (Casey) who was unbelted was ejected from the vehicle. Mr. Casey was found approximately 94 feet north from the Ford's area of final rest and on the front lawn of 676 Pleasant Street.

MSP Photos

The below listed photos were obtained by MSP at Interstate Wrecker Service storage facility in Dedham, Massachusetts on Thursday, December 27, 2018.



Photos of Craig Casey's vehicle at the Interstate Wrecker Service storage facility

RECOMMENDATIONS

- Pursuant to Canton PD policy and procedures, Canton PD initial response should always include digitally photographing all crime scenes and sketching the scene, regardless of whether the investigation is transferred to another law enforcement agency, such as the Massachusetts State Police.
- Send a Canton PD supervisor to all critical incidents.
- As stated above the Canton PD should remain involved in all death investigations that occur within the Town of Canton.

November 23, 2024

Case File Audit of Damage to a House Under Construction

House Party Damage at 25 Holly Way, Canton, MA

Because of the political climate in the Town of Canton the Audit Team reviewed a case file concerning the malicious damage to a home that occurred on the evening of November 23, 2024, at 25 Holly Way in Canton. The investigative activities occurred while the Audit Team was on site. *[Note: Numerous juvenile subjects attended a house party at a home that was under construction. Many of the subjects were identified as drinking alcohol and one subject was observed on video kicking a dead rabbit.]*

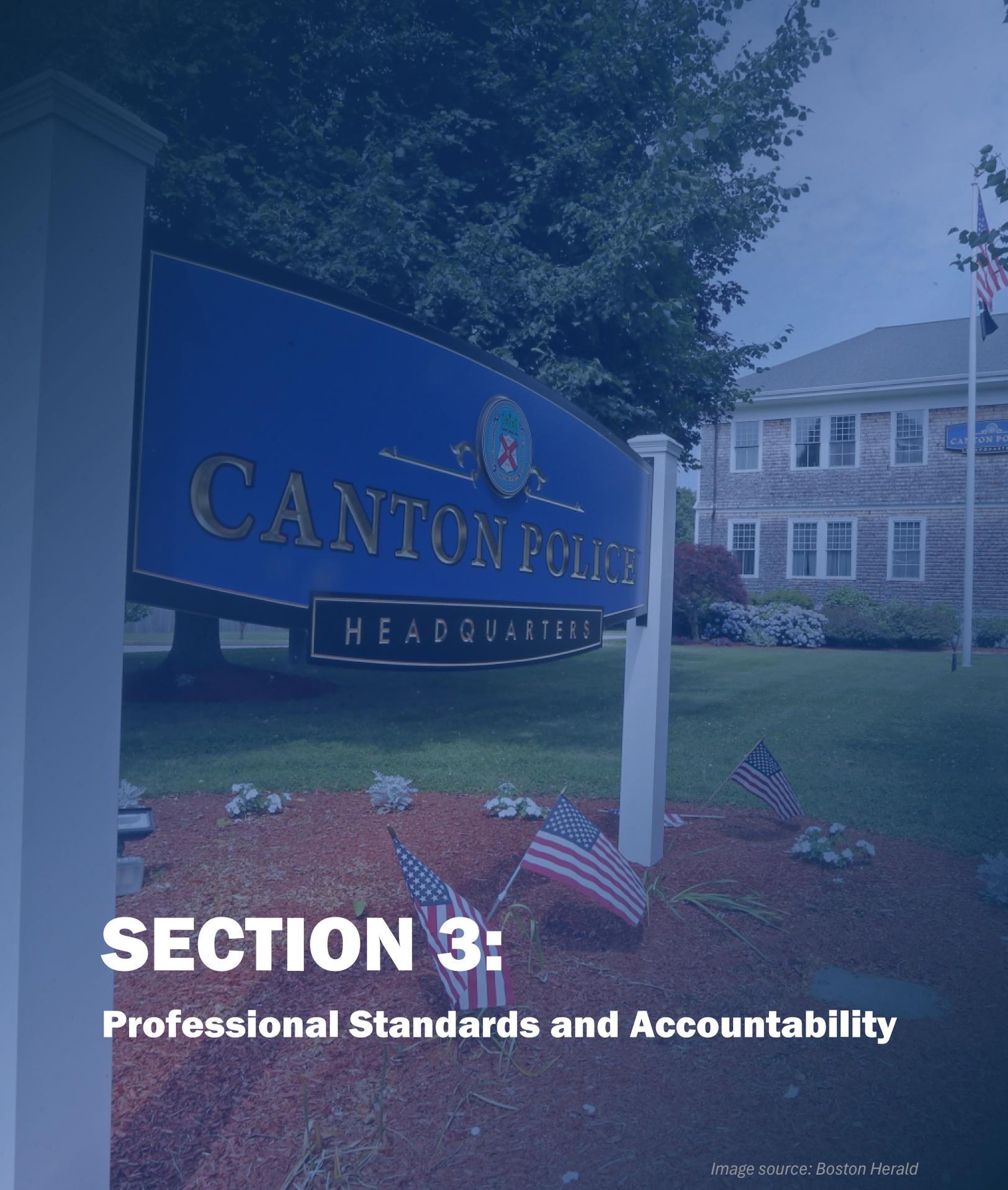
Canton PD investigation revealed that multiple juvenile subjects damaged the inside of the home, causing approximately \$20,000 in damages. The investigative team, including patrol officers, effectively obtained information from the complainant and documented the damage to the house via video and digital photographs, and were able to identify multiple individuals involved in the incident that caused significant damage to the property.

Chief Rafferty effectively organized a team of detectives from both Canton PD and neighboring police departments to conduct a thorough investigation. All the juvenile subjects who were responsible for the damage to the home were identified. The Audit Team found that the complainant was reimbursed for the damage to his home and declined to press charges, signing a declination of prosecution. One (1) juvenile subject was identified as being responsible for bringing the deceased rabbit to the home. We found prosecution was declined by the Massachusetts Environmental Police. Canton PD followed all policies and procedures related to collection and preservation of evidence and crime scenes.

Canton PD efforts and responses to this matter were effectively completed and in accordance with all policies and best practices.

Findings

None.



SECTION 3:

Professional Standards and Accountability

Image source: Boston Herald

SECTION 3: PROFESSIONAL STANDARDS AND ACCOUNTABILITY

Massachusetts State Law requires each police department to report disciplinary actions to the Massachusetts Police Standards and Training (POST) Commission that are related to all police officers involved in violating policies and procedures and who violate state or federal laws. Departments should implement an early intervention policy for tracking complaints to identify an officer who may exhibit a pattern of actions requiring intervention. The early warning or early intervention system should include documentation in a computerized database of police officer performance indicators, including uses of force, citizen complaints, arrests, traffic stops, officer discipline records, use of sick leave, and others.

To maintain and adhere to state policies, all Canton PD employees have the **Blue Voice App** on mobile phones which allows officers to review Canton PD policy and procedure, rules and regulations, case law, statutes, and by-laws. *[Note: These mobile phones referenced are personally owned by the officers. This practice is not in alignment with best operations and procedures and is addressed in several areas of this report.]*

a) Review adherence to professional standards (such as ethical guidelines, best practices, and industry norms).

Canton PD policies are in accordance with POST guidelines. On February 3, 2023 the Executive Director of the Massachusetts POST Commission emailed the Chiefs and Sheriffs within the state explaining that only certain levels of sustained misconduct should be reported. Specifically, sustained misconduct of a serious nature, any conduct using excessive force, or any conduct that would be a violation of a civilian's rights was to be reported. Canton PD Chief Rafferty exceeded Massachusetts POST reporting requirements regarding the reporting required of sustained misconduct investigations, consistently reporting all sustained allegations regardless of severity. Since this email notification, Chief Rafferty has revised her submission and remains in full compliance with POST requirements despite public perception.

b) Evaluate how the department ensures accountability for its actions.

The Audit Team reviewed multiple years of civilian and defendant complaints starting with the most recent. Each complaint was evaluated at the Chief and Deputy Chief level and often the Chief and/or one of the Chief Deputies would investigate the allegation. This is the result of the political climate, and the public scrutiny placed upon the Canton PD. The Audit Team found that all complaints and allegations were assessed, investigated when appropriate, and discipline was issued when required and necessary, although these matters were not handled in the manner typically associated with Internal Affairs investigations. The complaint files were not maintained in a consistent manner and the methods of investigation and investigators varied. While the Deputy Chief of Operations and Investigations was responsible for overseeing the investigation, the Chief of Police handled some cases directly. The Audit Team found that the retirement of personnel has left a void of experienced investigators capable of performing an Internal Affairs investigation.

c) Consider transparency and responsiveness to public concerns.

The Audit Team found some complaints were not investigated. We found some allegations made against officers lacked a formal investigative process. However, the Audit Team did not find any evidence or intentional negligence of concealing the allegations to protect officers. Each complaint was addressed to correct the actions (misconduct) of the officer in question in accordance with POST and Canton PD policies and procedures.

d) Review Internal Affairs Accountability.

The Audit Team reviewed 75 internal affairs files dating back to 1991. The Audit Team found action taken by the Chief of Police resulting in adverse action (suspensions) of officers was not consistent with violations that were identified. We found one (1) officer was placed on administrative leave for several weeks pending the completion of an internal affairs investigation. The Audit Team believes the officer should have been available to work at headquarters on restricted duty versus being placed on paid administrative leave. We found another Canton PD officer was transferred from the detective bureau to night patrol, without a formal investigation conducted. Again, the chief of police conducted the inquiry versus a formal internal affairs investigation. The Audit Team has made significant recommendations which will improve the accountability and transparency of the Canton PD's internal affairs process and the handling of civilian complaints. These recommendations will improve the internal affairs process at every stage and will assist the Canton PD in providing annual reports to the town indicating the number of complaints received, internal affair investigations initiated, and any discipline issued as a result.

e) Review adherence to compliance with officer misconduct and professional conduct.

The standards of the department as they relate to professionalism and expected professional conduct are in alignment with POST requirements. Professional standards and the responsibility to meet those standards are ultimately up to the individual officer. It is the responsibility of the department to ensure that its officers uphold the expected standards of professionalism and conduct, and hold those that do not accountable by administering corrective action when necessary. This is accomplished through a transparent internal affairs process. It is recommended that Canton PD officers annually certify they have read and understand the Canton PD Standards of Conduct.

f) Review disciplinary procedures and adherence to them, including past adherence to the mandated reporting of complaints alleging officer misconduct to the Peace Officer Standards and Training (POST) Commission, including past demotions and promotions for the past 25 years.

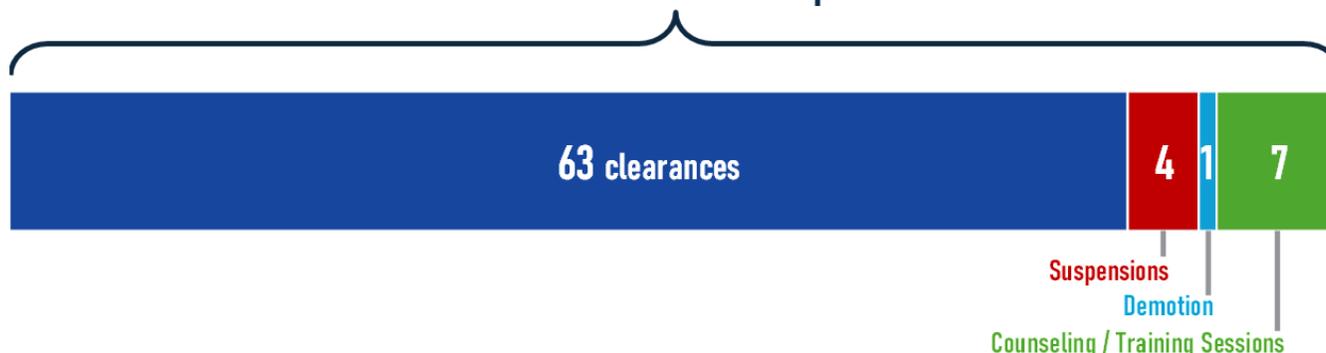
And

g) Review the lack of Officer disciplinary actions – acknowledging Canton has had only one disciplinary action recorded in the last 25 years.

The Audit Team found this statement to be inaccurate. A review of civilian complaints, internal affairs investigations and disciplinary actions revealed that since September 28, 1991, seventy-five (75) internal affairs inquiries have occurred. These inquiries were initiated as the result of civilian complaints or at the direction of management based upon performance. These 75 actions resulted in 63 clearances, and 12 acts of sustained violations. The 12 sustained violations resulted in four (4) suspensions, one (1) demotion

and seven (7) counseling/training sessions. POST requirements as they related to these inquiries and subsequent disciplinary actions were met.

75 Internal Affairs Inquiries



The most recent action occurred on October 2, 2024. Two (2) complaints were filed and results were sent to POST in accordance with POST policy. As stated above, Canton PD policies are in accordance with POST guidelines. On February 3, 2023, the Executive Director of the Massachusetts POST Commission emailed the Chiefs and Sheriffs within the state explaining that only certain levels of sustained misconduct should be reported. Specifically, sustained misconduct of a serious nature, or any conduct using excessive force, or any conduct that would be a violation of a civilian's constitutional rights was to be reported. Canton PD Chief Rafferty exceeded Massachusetts POST reporting requirements regarding the reporting required of sustained misconduct investigations, reporting all sustained allegations regardless of severity. Simple civilian complaints filed with the Canton PD are not required by POST mandate and Canton PD policy to be reported to POST.

Furthermore, while it is important to acknowledge, process, and review every civilian complaint, it is not always necessary, or appropriate, for all complaints to trigger an internal affairs inquiry.

h) Review adherence and compliance to policies and procedures of the Canton Police Department's liaison to the Stoughton District Court (a position known as "Police Prosecutor") and the Norfolk County District Attorney's Office, and whether all citizens are treated fairly and equitably.

The Audit Team interviewed the Police Prosecutor. This position is more than a liaison position and requires a senior officer, preferably holding rank. The current Police Prosecutor understands his role and responsibility and is well respected in the courts by other law enforcement, prosecutors, and defense attorneys. He stated that he has felt the effect of the current town climate within the court proceedings. Other professional law enforcement officers, as well as prosecutors and defense attorneys, have all acknowledged the public scrutiny: the social media posts and vocal protesting have negatively affected the Town of Canton's police force. Despite this, the Police Prosecutor remains positive and utilizes this position to ensure the prosecutors receive all necessary information in a timely manner to meet court requirements as they relate to production and discovery. Additional resources in the form of full-time police officers should be allocated to the Canton PD. The current Police Prosecutor holds two (2) full-time positions as the Sergeant of Detectives and Police Prosecutor.

Findings

An examination of Internal Affairs (IA) investigations dating back to 1991 revealed a lack of organization and consistency in the files, particularly during the tenure of four (4) different Canton Police Chiefs, namely John Ruane Jr., Peter Bright, Ken Berkowicz, and Helena Rafferty. The biggest improvements to both the written policies and the internal affairs process have occurred in the past four (4) years under then Chief Berkowicz and now Chief Rafferty. While recent files from the past fourteen (14) months under the supervision of Chief Rafferty showed improvement in thoroughness and documentation, there remained issues with content consistency and a uniformed structure of the system. It was noted that due to the department's size, and staffing shortages, establishing a designated IA division, or the designation of a full-time IA investigator had not been practical. However, no instances of intentional negligence or misconduct minimization were found. One (1) incomplete investigation from 2002 was discovered, as the IA designated investigator had passed away, halting progress on the case. This case was never reassigned, nor was it brought to a conclusion. This sole example highlights the need for consistent internal systems and documentation to prevent such lapses.

The Audit Team examined seventy-five (75) investigative files over a twenty (20)-year period and concluded that the IA process requires significant enhancements as it relates to its process and documentation. In a specific case from 2015 involving a Canton PD detective's inappropriate relationship with a drug-addicted individual, procedural shortcomings were identified. The detective received a ten (10)-day suspension, was demoted from the detective division and was reassigned, but formal complaint procedures were not followed, and the IA investigations lacked formal processes, such as documented witness interviews and an explanation on the final decision.

Another incident reviewed involved a Canton PD detective who unintentionally and tragically, left his dog in his personal car while reporting early for work at the Canton PD. The dog was later found deceased. While the Detective was rightfully not criminally charged, it was crucial that a comprehensive investigation should be conducted. This should have involved obtaining a detailed statement from the detective outlining his actions. Additionally, this should have involved acquiring statements from witnesses within the department corroborating the detective's activities, attitude and actions leading up to the discovery of the dog. An official statement from the responding Animal Control Officer and a declination from the District Attorney stating that they are not pursuing charges should have been part of the investigative process. If done in this manner, the investigative file could have been referenced by case number. We found there were two (2) instances involving civilians residing in the Town of Canton who committed similar acts accidentally, resulting in the loss of beloved family pets. While neither individual was charged, the process should have been documented in detail. In all instances, it should be noted that common sense and discretion were utilized by both senior officers as well as civilians. We found no evidence that the department tried to conceal the event. Rather, the actions of senior officials and the decisions made exhibited compassion for a decorated officer, who was already emotionally devastated.

All investigative proceedings, as well as any actions taken, or not taken, must be meticulously documented in the investigative file to maintain transparency and accountability with the town stakeholders and citizens. Had the investigation of the loss of the detective's pet been performed as described above, it would not have changed the ultimate outcome. However, it would have allowed the Canton PD to appropriately respond to the public outcry for a Canton PD detective to be legally punished

for an accidental loss of a pet. A proper internal affairs investigation would have protected the officer from the public outcry for punishment that was not levied against civilians for the same type of case.

We found another incident in 2024, where a Canton PD officer was subject to disciplinary measures due to policy violations. The Audit Team identified that the complainant did not utilize the proper Canton PD protocol for filing complaints, and instead, directly lodged the complaint with the Chief of Police. Consequently, the Chief personally oversaw the investigation, conducted interviews and imposed a suspension. The absence of established investigation procedures, such as internal affairs case numbers, delegated internal affairs investigators and witness interviews, was noticeable in many instances, with IA investigations predominantly being managed by the Chief of Police. The complainant placed the Chief in a compromising situation making her a witness to the misconduct, rather than solely the adjudicator as the Chief should have been. Our team identified multiple instances where the Chief of Police handled the complaint directly, interviewed the employee and proposed the discipline, versus having the IA investigator conduct the investigation, as per policy.

More recently, in an effort to mitigate conflicts of interest, Chief Rafferty enlisted the services of an external independent organization to investigate allegations of misconduct. The Audit Team affirmed that these outsourced investigations were comprehensive, thorough, and substantiated by comprehensive case records and documentation. However, as cited below, it is suggested that the IA processes of the Canton PD be enhanced with a focus on implementing formal investigation protocols and ensuring oversight by designated Canton PD personnel. The Audit Team recommends that IA investigations be conducted by the Canton PD in accordance with their policy when appropriate. Since the Canton PD is a small department, when investigations involve conflicts of interest, or multiple officers, we recommend hiring outside firms to conduct the IA investigation. The following recommendations will allow the Canton PD to conduct fair, thorough and transparent investigations into alleged misconduct. Canton PD should maintain a searchable filing system which will allow for accurate reporting and save the department money on outsourced investigations.

RECOMMENDATIONS

Process

All civilian complaints to the police department should be documented on a Canton PD complaint form and filed with the Canton PD Desk Sergeant or e-mailed to a department complaint intake email. Any civilian who enters the Canton PD with a complaint should be provided with the form and an opportunity to complete it. All completed forms should be entered into the dispatch log with a timestamp and receipt, then forwarded to the Deputy Chief of Operations (DC-Ops) and Investigations for processing, numbering, evaluation and further action if necessary.

In cases where an IA investigation is warranted, the DC-Ops should record his rationale in a report, assign an IA number to the complaint (in addition to the civilian complaint number), and appoint an investigator of suitable rank and experience to conduct the investigation. The DC-Ops should inform the Chief about the allegation and subsequent investigation, ensuring

compliance with POST requirements. The investigator(s) should take recorded statements, collect physical evidence and review any material as necessary. All evidence obtained during the IA investigation should be handled as regular evidence, labeled and processed with exhibit numbers. When the investigation is complete, the entire packet should be sent back to the DC-Ops for review.

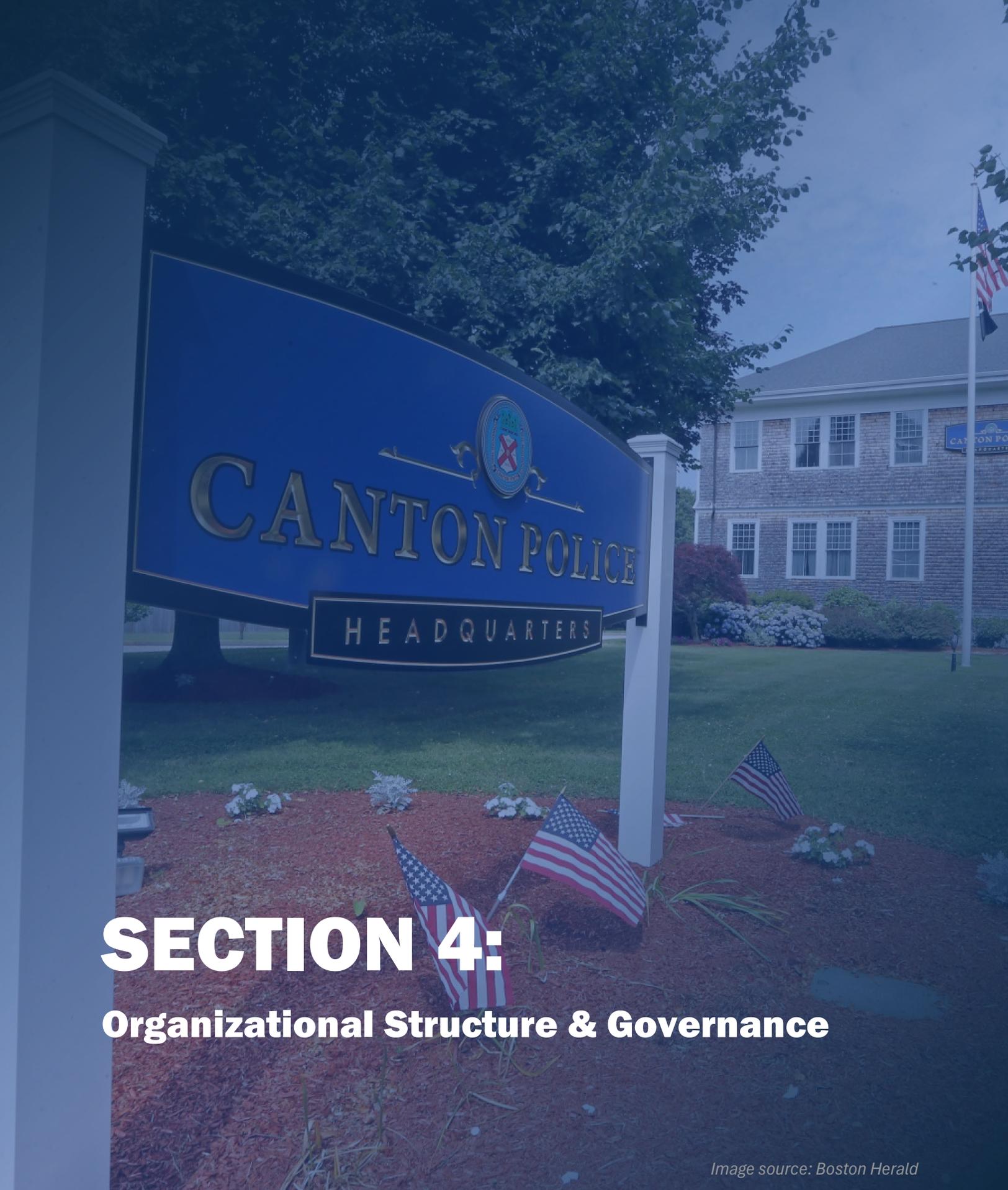
Upon completion of the IA investigation, the entire file, including reports, interviews, transcripts, and evidence, should be reviewed by the DC-Ops for thoroughness. If the investigation is deemed comprehensive and capable of assessing the validity of the complaint, the file should be passed on to the Deputy Chief of Administration (DC-Admin) for further review as it pertains to policy violations.

The DC-Admin should examine the file for policy violations by any Canton PD member, irrespective of the original complaint and allegation. Misconduct violations should be identified by policy number, directives, date of infraction, and specific details outlining the misconduct. The DC-Admin should record the findings of misconduct violations, or lack thereof, in an official report. The IA file should then go to the Chief of Police for final decision based on Police Collective Bargaining agreements, Town By-Laws, Civil Service regulations, and CMR 555. In instances where misconduct or policy violations are confirmed, a disciplinary matrix should be used to ensure consistent corrective actions are taken with all officers for similar sustained charges of misconduct.

The Chief should review the file and the report outlining the policy violations. The Chief should make a decision to find the misconduct substantiated or unsubstantiated. For unsubstantiated misconduct, the officer should receive a Letter of Caution, a Letter of Warning, or a Letter of Clearance. Discipline warranted for substantiated misconduct should be issued by the Chief in accordance with Town Policy, POST requirements, and the collective bargaining agreement. A copy of the final decision should be given to the officer and included in the IA Investigative file and utilized as a closing document. Upon closing the file, the DC-Ops should then contact the original complainant and inform them of the investigation and its conclusion. The complainant is entitled to know that their allegation was unsubstantiated and closed, or that it was substantiated and resulted in discipline to the officer and closed. The Canton PD has no requirement to provide further explanation.

The implementation of the above format, or a similar format that meets the rules and requirements of the department, is crucial for transparency and fairness, fostering an environment within the department of accountability.

[Note: According to Canton PD Rules and Regulations, officers are subject to disciplinary actions outlined in statute (M.G.L c. 31 sec. 43) and other appropriate measures deemed fit by the Chief, including letters of reprimand. Procedural requirements governing notice and hearings will be followed.]



SECTION 4:

Organizational Structure & Governance

Image source: Boston Herald

SECTION 4: ORGANIZATIONAL STRUCTURE AND GOVERNANCE

Chief of Police

Chief Helena Rafferty is the head of the Canton Police Department (Canton PD), overseeing a team of sworn officers, administrative staff, and part-time officers. She ensures that the department operates in compliance with laws and regulations while meeting organizational goals. Chief Rafferty, a 35-year veteran of the police force, was appointed in June 2022 and graduated from the FBI National Academy. She holds a BA in Criminal Justice, a Master's in Criminal Justice, and a Certificate in Public Administration. Chief Rafferty has experience working in various roles within the department and has received awards for leadership and humanitarian work during her service.

Deputy Chief Patricia Sherrill has dedicated over three (3) decades to the Canton PD, commencing her tenure as a patrol officer in 1993. She is a graduate of the FBI National Academy in Quantico, VA. Throughout her career she demonstrated exemplary leadership skills and was promoted to sergeant in 1999, where she oversaw the patrol division's operations. Her commitment and expertise led to her further advancement to the rank of lieutenant in 2005, where she managed the patrol division and undertook various administrative responsibilities assigned by the Chief of Police. In 2022, Deputy Chief Sherrill achieved a significant milestone in her career with a promotion to Deputy Chief of Administration, where she currently reports directly to the Chief of Police. Notably, she holds the distinction of being the second female in the department's history to hold the role of Deputy Chief. In addition to her administrative duties, she serves as the Department's Public Information Officer, handling media inquiries from both local and national outlets, managing freedom of information requests, and coordinating official responses on behalf of the Chief of Police. Deputy Chief Sherrill specializes in domestic violence issues and has undergone extensive training in this field throughout her career. She is an active member of the Norfolk County Domestic Violence High Risk Team, demonstrating her commitment to addressing and preventing domestic violence in the community.

Deputy Chief Thomas Keleher has been a member of the Canton PD since April 1992. Beginning his career as a patrol officer, he advanced to the rank of Lieutenant in 2006, gaining experience in the Patrol Division and as a First Line Supervisor. He currently holds the position of Deputy Chief of Operations and Detective Bureau. Deputy Chief Keleher graduated from Canton High School in 1988. He furthered his education at Bridgeton Academy in Maine, completing the one (1) year preparatory program. He earned a Bachelor's Degree in Criminal Justice from Western New England College and a Master's Certificate in Public Administration from Suffolk University. In December 2008, Deputy Chief Keleher graduated from the FBI National Academy in Quantico, VA, known for its exceptional academic training in investigations, management, and fitness. He is one of only three (3) active members at Canton PD, alongside Chief Helena Rafferty and Deputy Chief Patty Sherrill, to have graduated from this prestigious program. Deputy Chief Keleher leads the METRO-SWAT Crisis Negotiation Team, overseeing a team of twenty (20) negotiators that respond to crisis situations in more than fifty (50) communities. He has been the team commander since 2012 and is actively involved in the Joint Terrorism Task Force, collaborating with law enforcement partners at all levels to stay informed on national crime trends.

The Investigative Division consists of a team of detectives and a sergeant and addressed serious crimes. The Patrol Division also includes four school resource officers who are assigned to patrol and support

schools. Deputy Chief Patricia Sherrill leads the Administrative Division, overseeing training, grants, policies, part-time officers, school resource officers, and crossing guards. Both deputies report directly to Chief Rafferty.

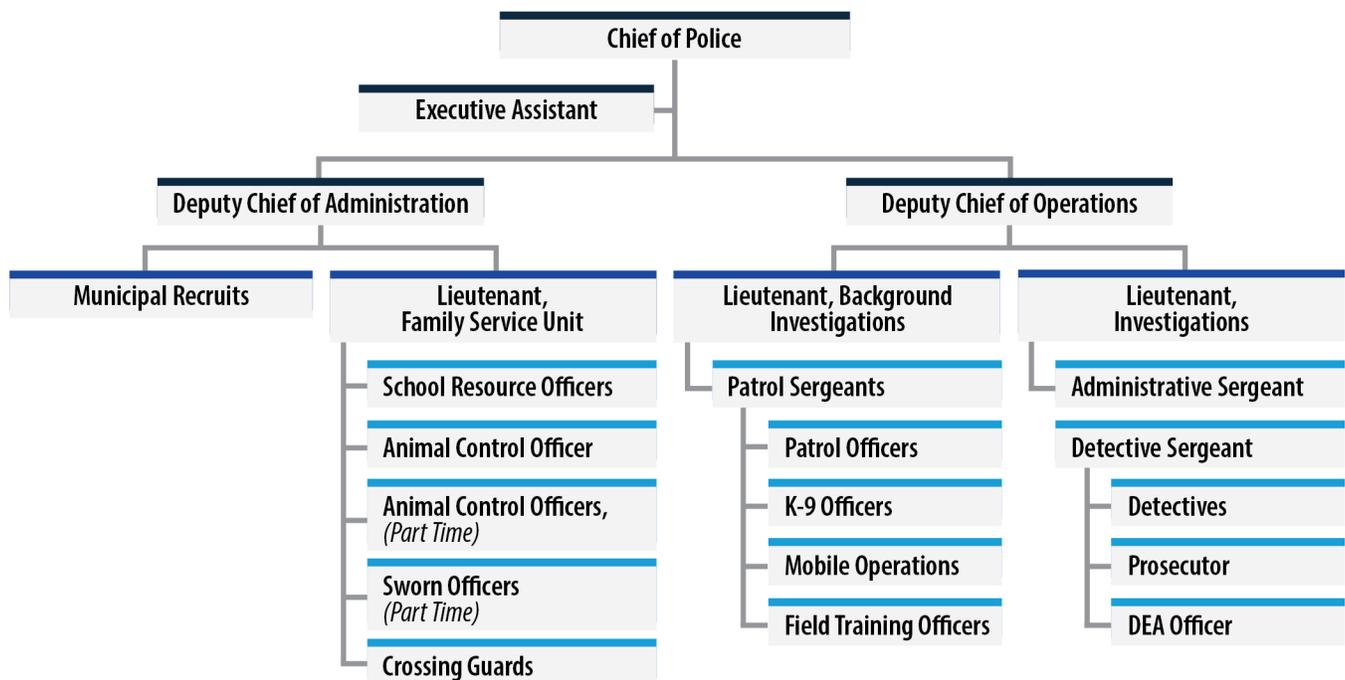
The command structure includes the Chief, two (2) Deputy Chiefs, three (3) Lieutenants, seven (7) Sergeants, four (4) Detectives, four (4) School Resource Officers, and nineteen (19) Patrol Officers. The department currently has two (2) officers in the police academy. Canton PD consists of forty-one (41) police officers in total, with Chief Rafferty advocating for additional staff to reach the desired total of fifty (50) officers.

The Canton PD command staff’s leadership has been essential in the operations and growth of the Canton Police Department, ensuring public safety and effective law enforcement in the community.

Command Structure

Organizational Chart Written Directive No. 4.29

The Canton Police Department will utilize the following organizational structure with the importance of adhering to the Chain-of-Command:



[Note: Current staffing levels at Canton PD show a shortage of eight (8) officers, with twenty-five (25) full staff patrol officers and a total staff of forty-one (41) police officers. The Chief of Police has consistently requested additional personnel in each budget cycle, highlighting the need for a total of fifty (50) sworn officers. At present, there are three (3) recruits (two (2) male, one (1) female) undergoing training at the police academy, set to graduate in June 2025.]

a) Analyze how the police department is organized, including reporting lines, hierarchy, organizational chart, and decision-making processes.

The Canton PD's hierarchal framework and chain of command are clearly defined, ensuring that communication follows the appropriate channels to reach supervisors. Information flows smoothly to the necessary authorities when senior decision-making is required. By incorporating additional civilian staff members, such as intelligence analysts, the department could significantly enhance its communication capabilities, resulting in greater efficiency and effectiveness.

b) Assess the effectiveness of communication channels across all devices within the department.

The Audit Team concluded that all lines of communication in the department are well established, understood, and aligned with the appropriate hierarchy and the chain of command.

c) Evaluate cross-functionality and collaboration between different units, departments, or divisions

The Audit Team discovered that the patrol division and investigative division frequently collaborate on crime prevention and effectively support each other's efforts. Their teamwork and synergy are evident in their joint responses to incidents, such as a non-fatal shooting incident in November 2024. During this event both divisions quickly responded, apprehending the shooter and collecting crucial evidence, including the weapon used. Their unified strategy involved conducting interviews, analyzing evidence, and coordinating with prosecutors to file attempted murder charges against the perpetrator. The cohesion and synchronization between the patrol and investigative divisions were effective and played a significant role in the successful resolution of the case. Patrol officers are often actively engaged in cases and work closely with the detective division. Furthermore, all information and actions were promptly reported to senior management and town officials, ensuring proper notifications at the appropriate levels within the organization.

The Audit Team identified that a Memorandum of Understanding is current with the Bureau of Alcohol, Tobacco and Firearms (ATF) Special Agent in Charge James Ferguson and Boston Field Division and Canton Police Department Chief Helena Rafferty, dated February 9, 2024. In summary, the task force agreement allows the partnership of ATF and Canton PD to investigate firearms trafficking and related violence, to gather intelligence, conduct undercover operations, and investigate shootings in Norfolk County and surrounding areas, with physical locations at the ATF Bridgewater Office and the Canton Police Department. *[Note: ATF has a satellite office inside the Canton PD with one (1) ATF Special Agent operating out of this office.]*

Our team conducted an audit of firearms cases, related arrests, and/or joint cases worked between Canton PD and ATF Special Agents from 2018-2024. As a result, our team determined that a total of twelve (12) cases were initiated, resulting in arrests of three (3) subjects for felon in possession of a firearm. Two (2) arrests were made of individuals involved in controlled purchases of firearms; two (2) other cases related to recovering a firearms incident to arrest. In addition, ATF and Canton PD conducted search warrants and arrests related to a home invasion and recovered ammunition and firearms. ATF also provides informal training to Canton PD officers on firearms tracing.

d) Evaluate using a strong vs weak Chief in terms of governance.

The Massachusetts General Laws make a distinction between a "strong" and "weak" chief of police through General Laws Chapter 41 Section 97A and 97. The key discrepancy between the strong and weak chief lies in the authority granted to the chief. A strong chief has more autonomy in managing the police department, being able to establish policies and procedures with minimal interference from town officials or the Select Board. In contrast, a weak chief, like the one in the Town of Canton, is subject to oversight by the Select Board, with the chief reporting to the Town Administrator.

Under the weak chief statute, the Select Board is empowered to appoint the Police Chief to oversee day-to-day operations and to appoint additional officers as necessary. The board can also establish regulations for the police department. The appointment and discipline of police officers are governed by Section 13 Chapter 41. Reappointment is required after a one (1)-year probationary period unless there is just cause, or as specified in a collective bargaining agreement, with due process procedures in place.

On the other hand, the strong chief statute permits the Select Board to appoint the police chief, who then has the authority to establish department regulations, subject to approval from the Select Board. While the Select Board retains ultimate authority, the chief holds greater responsibility in managing the department, which includes overseeing officers and departmental property, as well as assigning duties.

Effective oversight ensures that the police chief is responsible for financial and budget decisions, departmental functions, and the maintenance of professional standards among officers.

Chief Rafferty demonstrates effective and fair handling of sensitive police matters and investigations. She consistently deflects credit to her management team, highlighting the officers' work. Throughout our observations and interactions with Chief Rafferty over the past four (4) months, she has exhibited clear communication skills and fostered a positive work environment. Overall, Chief Rafferty's leadership style emphasizes fairness, transparency, and a genuine concern for the well-being of both the community and the department's personnel.

e) Make recommendations to streamline the Canton Police Departments operations.

The Audit Team conducted a review of the operational protocols of the Police Department and found that while the department functions efficiently and professionally, there are recommendations that could further improve operational efficiency:

- Acknowledge and accept that the Police Department has the authority to and should resume its own responsibilities and conduct its internal affairs (IA) investigations.
- Cease the expenditure on outsourcing tasks that the department has the capability to perform itself.
- Increase the number of officers trained in crime scene processing, management, and preservation.
- Train officers in report writing to improve their skills and require the submission of concise, detailed incident reports that explain how the situation was addressed and resolved.
- Provide training for officers in courtroom testimony.

- Ensure all police vehicles are equipped with essential evidence collection tools, such as digital cameras and department-issued cell phones. It is impractical to use a department-issued laptop for capturing photos/videos at a scene.
- The police prosecutor officer and the detective sergeant positions should not be combined.
- Hire administrative staff, including a secretary or for the C-suite and detective bureau, as well as interns and analysts.
- Hire dispatchers who can work with uniformed officers to handle emergency and non-emergency calls, enter data and service information requests from the public.

f) Assess protocols for proactively soliciting public comments about high-profile incidents and crisis communications and assess adherence to those protocols.

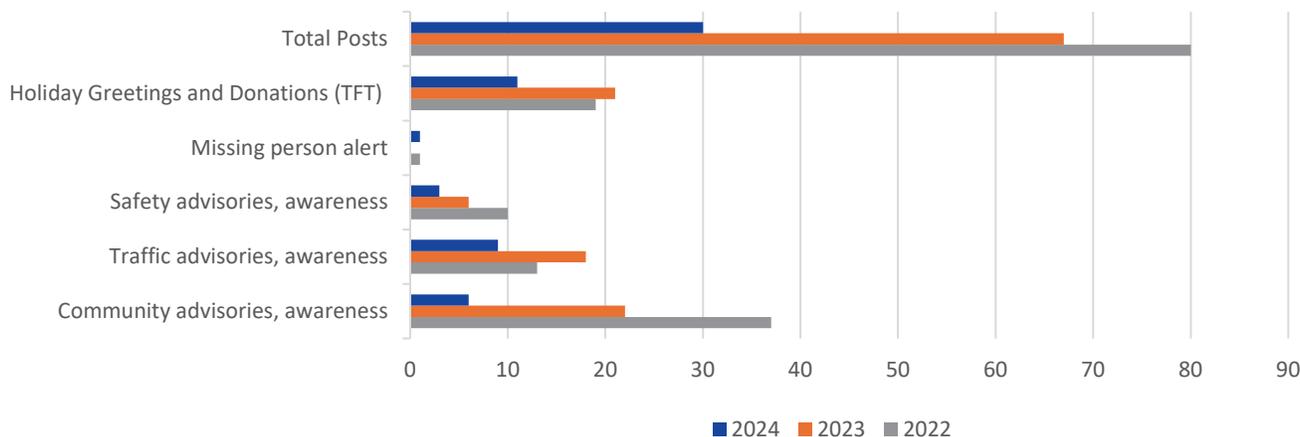
The Audit Team assessed the protocols the Canton PD uses to actively seek public feedback on high-profile incidents and crisis communication. Chief Rafferty and Deputy Chief Sheryll were interviewed to discuss the Department's efforts to engage with the community.

Although the department has established, implemented, and currently maintains protocols for informing the public about emergency situations, the feature allowing public comments has been disabled, hindering the potential for constructive dialogue. Certain members of the community have persistently subjected the police department and its officers to ridicule, negative personal remarks, and harsh criticism over their routine job functions. This undermines the chances of fostering positive communication.

According to information on the Canton PD website, the department actively utilizes several social media platforms, such as Facebook, X, and Instagram. A thorough search through these platforms has allowed for a preliminary analysis of the department’s posts and the community’s responses, which has led to potential recommendations.

Based on the available data, it appears that the Canton PD made thirty (30) posts on Facebook in 2024, sixty-seven (67) posts in 2023, and eighty (80) posts in 2022. These 30 Facebook posts have been categorized and examined for further review and insights.

Facebook Post Subject | Number of Posts



RECOMMENDATIONS

The police department should resume posting public announcements, notifications, and public warnings of importance on all relevant social media platforms immediately, the two (2) most prominent being X and Facebook. Public comments should remain disabled until they can become beneficial and promote a positive exchange of information.

Additionally, the Town of Canton Should:

- Acknowledge and accept that the Police Department has the authority to and should resume its own responsibilities and conduct its internal affairs (IA) investigations.
- Cease the expenditure on outsourcing tasks that the department has the capability to perform itself. Outsource internal affairs investigations when a conflict of interest is identified, or multiple officers are involved.
- Increase the number of officers trained in crime scene processing, management and preservation.
- Train officers in report writing to improve their skills and require the submission of concise, detailed incident reports that explain how the situation was addressed and resolved.
- Provide training for officers in courtroom testimony.
- Ensure all police vehicles are equipped with essential evidence collection tools, such as digital cameras and department-issued cell phones. It is impractical to use a department-issued laptop for capturing photos/videos at a scene.
- The Chief of Police should assign an officer to serve as the police prosecutor at court. Currently, the Detective Sergeant is serving a dual role of police prosecutor and supervising detectives in case work.
- Hire administrative staff, including a secretary or for the C-suite and detective bureau, as well as interns and or analysts. A full-time Administrative Assistant for the Detective Bureau is needed.
- Hire dispatchers who can work with uniformed officers to handle emergency and non-emergency calls, enter data, and service information requests from the public.

to: the Policeman
and Polic e women

I see you
PooP

I see you
PooP



SECTION 5:

Citizens Privacy Protections

SECTION 5: CITIZENS PRIVACY PROTECTIONS

a) Evaluate policies and practices related to handling citizens' personal information.

The Audit Team has examined the protocols for managing confidential data, particularly pertaining to private individuals who may be involved as witnesses in complaints, crimes, or as concerned citizens. Our team determined that the department is fully compliant with its policies aimed at safeguarding such information.

b) Assess compliance with local, state, and federal data protection laws (e.g., CCPA, GDPR, HIPAA).

The following is a list of a few of the requirements and safeguards in place that the Canton PD must follow regarding the protection of personal data. The Canton PD is bound by more regulations and requirements than any other standard business. Additionally, they are also required to maintain logs of training and certification in addition to their policy.

- CJIS Terms and Policy
 - The department must maintain direct terminal access to the Criminal Justice Information System (CJIS).
 - The utilization of a CJIS workstation is restricted to criminal justice purposes exclusively, which involve carrying out official criminal justice duties.
 - In case of any damage to a CJIS workstation, each operator is required to promptly report it to their supervisor. It is the responsibility of the agency to report any inoperable CJIS workstation to the supervisor.
 - No alterations or modifications shall be made to any CJIS equipment, including CJIS workstations, mobile data workstations, or personal digital assistants/palm pilots, from their configured setup. Any changes must be performed by the DCJIS or the device's contract vendor, with notification and approval from the DCJIS.
 - Remote access to department workstations will only be granted to authorized personnel, ensuring proper access logging for authorized connections.
 - All CJIS information transmitted through a network segment must be safeguarded according to the FBI CJIS Security Policy.
 - Operators of CJIS workstations must undergo training, testing, and certification as per procedures established by the DCJIS before operating a workstation, with biannual recertification thereafter.
 - Each CJIS workstation operator is required to use their assigned password when accessing the CJIS network and must not disclose this password under any circumstances. Accessing the network using another individual's password is strictly prohibited.
 - All operators must log onto the network at the beginning of their workday and log off at the end to ensure proper tracking of transactions under the respective usernames. This measure prevents one operator from being held liable for another's CJIS transactions and guards against unauthorized access.
 - Agencies inputting records into CJIS must maintain continuous monitoring of their CJIS workstations and printers twenty-four (24) hours per day, seven (7) days per week.

- Massachusetts Public Records Law (Covers HIPPA-DOB-SS)
- Amanda’s Law, which centers around preventing first responders from taking and sharing unauthorized photos of crime scenes.
- Canton PD Rules and Regulations Policy No. 4.16 Page 11
- Canton PD Public Information Policy No. 1.39
- Canton PD Communications Policy No. 1.32
- Canton PD Dispatch Function Policy No. 1.35
- Canton PD Written Directive Policy No. 4.08
- Canton PD Mobile Data Access Policy No. 4.12
- The Canton PD computer systems include the ability to monitor who and when anyone has viewed a specific report/information as well as monitoring who may have made edits to the report.

c) Review data access controls, encryption, and retention policies.

In addition to the above-mentioned controls, methods and regulations used to monitor and limit access to certain data, much of the equipment and tools utilized by the Canton PD, such as Flock cameras, NCIC, and CJIS databases, all contain their own individual safeguards, such as time data that is requested to be logged by Flock on the logging user access, records requests and supervisory reviews.

Investigators accessing and making a request, aside from being electronically identified, must provide a reason for the data request. Flock information, which does not identify individuals, is deleted every thirty (30) days.

Canton PD policy clearly outlines permissible usage parameters and unauthorized usage of CJIS systems or NCIS systems is a crime.

Retention of this information is not optional, nor is it subjective to the department or Chief. Coordination with the District Attorney’s Office is essential, and once a final action has been completed and the District Attorney’s approval is granted, the Canton PD Deputy Chief of Administration refers to the Massachusetts Law Table of Retention for Police Records which establishes the retention period that vary by case type and age. Examples are:

- **Unprosecuted cases:** Retained for 6 years after final action.
- **Landmark cases:** Retained permanently.
- **Criminal cases:** Retained for 35 years after final action.
- **Medicaid, insurance, or unemployment fraud cases:** Retained for 25 years after final action.
- **Litigation involving fatalities:** Retained for 25 years after final action.
- **Civil cases:** Retained for 20 years after final action.

RECOMMENDATIONS

None.

To: The Canton Police Department



love

DONUT YOU KNOW

to the police men
and police women



WE APPRECIATE YOU!

SECTION 6:

Management, Operations and Culture

SECTION 6: MANAGEMENT, OPERATIONS AND CULTURE

a) Assess leadership effectiveness, management practices, and decision-making.

After monitoring Chief Rafferty's performance in leading the department, it is evident that her leadership style and decision-making skills are effective. The department holds great respect for Chief Rafferty, including officers, colleagues, and command staff. However, morale within the department is notably low, primarily stemming from public scrutiny surrounding the Canton PD's handling of the crime scene and the investigation into the death of Canton resident and Boston Police Officer John O'Keefe. While criticism can be constructive, the continuous and personalized nature of the attacks have shifted public feedback from being a means of professional improvement to consisting of personal attacks on officers. These attacks via social media, phone calls, emails, and public protests have significantly affected morale within the department.

b) Evaluate operational efficiency, resource allocation, and performance metrics.

The leadership within the Canton PD effectively manages, utilizes and applies departmental resources to meet the responsibilities and requirements of the police department. Senior management, led by Deputy Chief of Administration Sherril, adequately assesses the department's needs based upon trends, officer feedback and personal observations, while exploring opportunities to meet those needs through federal grants. A notable example is the approved grant for the Mental Health Professional (MHP), which is crucial for maximizing resource utilization. The primary performance metric requiring assessment is the department's minimum staffing requirements. A significant portion of the budget must be allocated to fulfill these staffing needs to ensure the town's safety. While additional training is necessary and has been emphasized throughout this report, funding for training cannot take precedence over the funding required to adequately staff each shift.

For FY 2024, an overtime deficit of \$378,244.00 was covered by forfeiture funds. Additionally, the town spent \$145,000 on overtime funds. The deficit resulted from overtime caused by:

- Investigations.
- School resource officer after hour extracurricular events, such as High School sporting events, plays, meetings and clubs.
- Town events include road races, July 4th fireworks, elections and political meetings.
- Officers attending training, or officers covering shifts for those attending a training.
- Fulfill shift requirements that are short due to attrition or officers utilizing leave such as vacation, sick or personal days.
- Replacements for Military and Administrative Leave.
- Court overtime or shift/patrol replacement when an officer must attend court.

c) Explore the organizational culture within the police department.

Many officers in the department share a common commitment to giving back to the community, often coming from families with ties to law enforcement. Several officers' parents were longstanding members of the Canton PD. This sense of service is central to the culture within the police department. The

department's size facilitates a seamless flow of information among officers regarding important matters that affect their work, fostering an environment of trust, transparency, and collaboration. Many officers (nearly 48%) have roots in the local area, having grown up in the town and returned after completing college or military service, to join the force.

Officers maintain close familial and social connections, with many having family members and acquaintances in the community, including on the Select Board, in town administration, and among business leaders.

Chief Rafferty is dedicated to fostering open communication with community members and town officials, taking their feedback seriously and conveying their concerns to her team. She promotes a supportive environment where team members' perspectives are respected and acknowledged, cultivating a culture of empowerment and gratitude within the organization. Despite these efforts, recent observations by the Audit Team have revealed that the community interactions have devolved into unproductive criticism and critique towards the command staff and the police department. The focus has shifted away from constructive dialogue and towards negative exchanges, hindering the ability to reach mutual understanding and agreement on various issues.



Police memorabilia dating back to the 1950-1970s



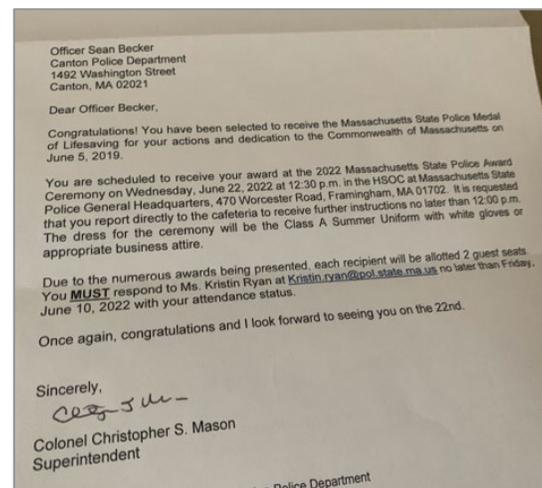
Recording of Police Interview 1973

d) Explore morale in the Police Department.

Observations affecting Morale:

- Various social media figures have alleged the Canton PD intentionally mishandled the crime scene where Mr. O'Keefe was discovered on January 29, 2022, and suggested a conspiracy within the department to cover-up Mr. O'Keefe's death. Karen Read was arrested on February 1, 2022, by MSP detectives for allegedly striking John O'Keefe with her vehicle and leaving the scene. Ms. Read was charged with manslaughter, motor vehicle homicide, and leaving the scene of an accident. Since her arrest on February 1, 2022, Karen Read and her defense team have alleged that there is a cover-up and conspiracy involving law enforcement and witnesses for the death of Mr. O'Keefe. Social media influencers across the country have fueled these allegations.

- The Audit Team has found that multiple family members of Canton PD officers have been subjected to harassment by various individuals, both residents and non-residents, including a social media figure. In one instance, a social media figure contacted the wife of a Canton PD officer and left a disrespectful voicemail on her cell phone, disparaging her husband and spreading accusations about his character. Additionally, an officer was harassed by the same social media figure while attending a New England Patriots football game. The Chief of Police faced harassment from individuals during an off-duty assignment at Gillette Stadium. Canton PD officers notified the Audit Team that this social media figure has continually harassed witnesses on-line and in person, especially the McCabe family. This social media figure followed a witness to a high school sporting event calling the witness a “cop killer.” This social media figure has been charged with witness intimidation by the Norfolk County District Attorney’s office.
- Several Canton PD officers have reported being harassed by the public while on duty, during personal time with family and children, and while working off-duty police details. A group of “Free Karen Read” supporters hold weekly pickets at the Canton PD. Numerous instances have occurred where officers have faced harassment in person and online through e-mails, voicemails, social media, and on YouTube. Members of the Audit Team have been approached in public, contacted through emails and text messages, and have been encouraged to “expose the cover-up.”
- The Audit Team has found that certain individuals use the Freedom of Information Act (FOIA) to obtain information about ongoing police investigations, budget allocations, overtime expenditures, and resolved cases. The information gleaned from these requests has been shared on social media. For instance, the Canton PD responded to an attempted suicide in 2019. Officers responding to the scene saved the individual's life, and a Canton PD Sergeant received an award for his actions. On February 17, 2025, the Audit Team was contacted and informed that the individual had actually been murdered by the Canton PD and this was a part of “another cover up.” The Audit Team located the individual from June of 2019 and confirmed they are alive and doing well.
- Such requests strain the Canton PD’s resources as officers must devote time and effort to fulfilling these FOIA requests. For example, a citizen who received a traffic violation used FOIA to request details on all instances in the Town of Canton where drivers were pulled over and ticketed for using their phones while driving, despite having a clean driving record. Requests such as these place a significant burden on Canton PD resources.



A letter awarding a Canton PD Sgt. the Massachusetts State Police Medal of Lifesaving



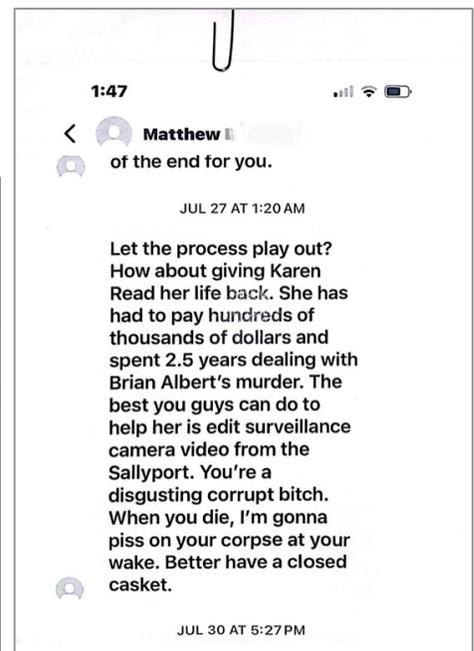
Outside a hearing on the Karen Read Trial, a social media figure confronts Chief Rafferty

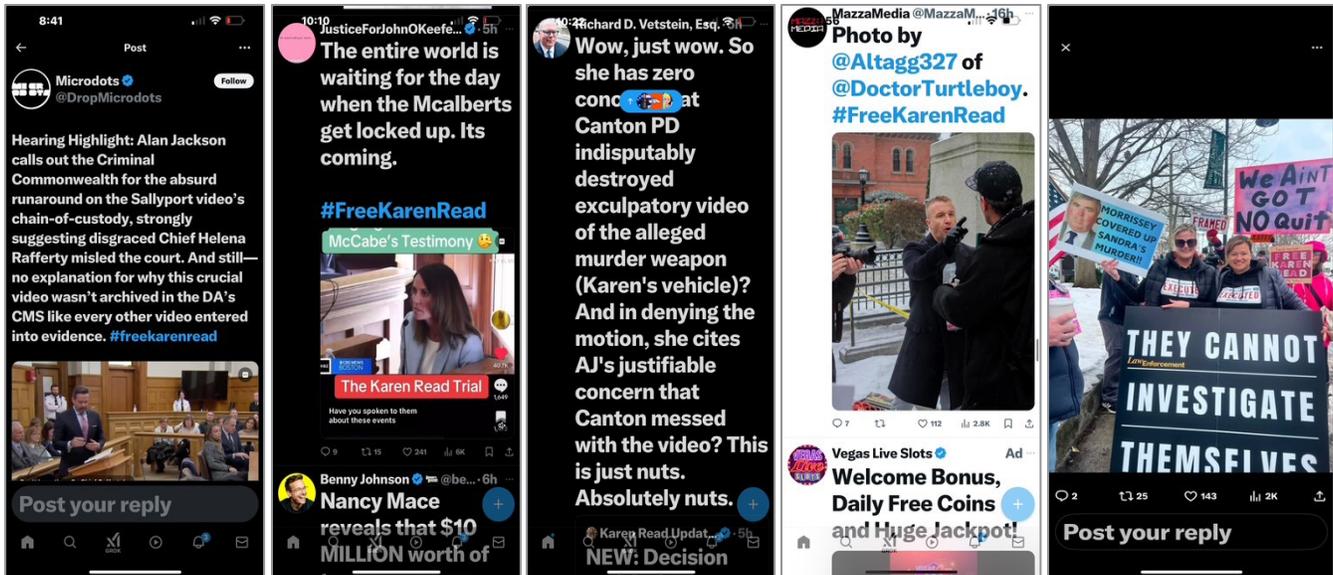


Free Karen Read Picketers and a sign mocking Judge Canone.



Protesters supporting Karen Read and a text message sent to Chief Rafferty.





Social Media post alleging conspiracy and corruption

Interviews and Officers Perception

The Audit Team successfully conducted interviews with all Canton PD officers and personnel, achieving 100% participation. Officers reported that the department is under significant pressure due to the proliferation of misinformation, witness coercion, and a lack of support from elected officials. Officers explained certain individuals, referred to as "influencers," are spreading false narratives about officers involved in the O’Keefe and Birchmore cases without any substantiating evidence. These influencers are primarily motivated by financial gain, fabricating sensational stories based on speculation to attract public attention. They operate without adhering to journalistic standards, or rules of evidence, gaining notoriety by circulating unfounded narratives in pursuit of fame and viewership.

The following are statements made by Canton PD officers during the in-person interviews with the Audit Team:

“I love this town, and they used to love us too. Those days were great, but they are gone.”

“No one in this town will care about us until one of us gets murdered, even then half the town will probably celebrate that.”

“Elected officials don’t care about us. Now the easiest way to gain popularity or get elected is to publicly trash us. They have no political platform, just trash the police. That’s it. It doesn’t even have to be true, just do it.”

“People in town just keep fueling the false rumors and it is going to get one of us killed.”

“I have wanted to be a Canton Police Officer since I can remember, I love this job and this town. My biggest fear now is if I die on this job, will the town continue to harass my wife and kids.”

“My wife asks me every day, why I would risk my life for a town that wouldn't care if I died. Every day, I tell her I love this town and the guys I work with. That's why I go to work.”

“I would have left this shit show a year ago. There is so much more money being offered by other towns. Towns that care about their cops, but I'm not going to leave the Chief. She could have left two years ago, but she stays and gets kicked in the gut every day for us. That's the only reason she is here, she cares about us, yeah, I'm not leaving.”

Despite the above, officers report to work daily and serve the Town of Canton. Two (2) of Canton PD's youngest officers grew up in Canton and have witnessed the public vitriol over the last two (2) years. Yet, despite the negative publicity and open hostility towards the department, they applied for- and took an oath to become Canton Police Officers. During the week of February 17 through 21, 2025, officers saved the lives of two (2) citizens in the town and arrested another on assault charges for seriously injuring a young woman on Valentine's Day. Despite low morale due to public sentiment, relationships and respect amongst fellow officers remain strong, and the commitment to serve and protect the public has been observed daily by the Audit Team.

e) Review the Canton Police Department's operations procedures.

The operational procedures of the Canton PD comply with established standards set forth by MPAC, POST, and CALEA. These procedures align with industry norms and either meet or exceed the operational protocols of neighboring departments. The department operates within a paramilitary structure with a clear hierarchy of rank and command. The command staff demonstrates diligence in effectively utilizing equipment, funding, and limited training resources. They also display resourcefulness by actively pursuing external funding to secure critical positions within the department, such as the full-time Mental Health Professional and additional roles for school resource officers. These positions play a crucial role in serving and protecting the community. The presence of these resources reflects the dedication and determination of the current Canton PD command staff.

RECOMMENDATIONS

It is recommended that two (2) additional School Resource Officer positions, one for each elementary school, be created and fully funded. School resource officers from the Canton PD play a crucial role in the community by serving as liaisons between the school board and the Canton PD. They ensure the safety of the Town's children during school days and special events, foster positive relationships with the community and police department. However, with only one (1) resource officer serving the three (3) elementary schools, two (2) schools

inevitably remain uncovered with a police presence. It is recommended that additional funding be allocated to hire additional school resource officers to cover each school adequately.

Additionally, we recommend to fully fund a position for the Mental Health Professional (MHP). This year's grant renewal for the MHP was delayed, causing uncertainty as to the ability to retain the professional. The MHP has been identified as a valuable asset by all department personnel during in-person interviews.

Effective communication channels should be established among town leaders, elected officials, and department officers. Meetings should be held directly with elected town leaders and department officers to facilitate discussions focused on enhancing communication. To ensure efficiency, these meetings should remain closed to the public, thus promoting greater productivity.



SECTION 7:

Hiring, Training Standards & Equipment

SECTION 7: HIRING, TRAINING STANDARDS, AND EQUIPMENT

a) Evaluate initial training programs for new cadets and continuing education

The Audit Team analyzed Canton PD's hiring, training, and promotion data from 2015 to 2024.

Potential candidates for the Canton PD and surrounding departments in the Commonwealth must first complete the required basic police training course authorized by the Municipal Police Training Committee (MPTC). This committee establishes the training standards for prospective police officers hired by various police departments in the Commonwealth. Interested candidates are typically sponsored by their respective police departments and enroll in the recruit academies approved by the MPTC.

The selection process for police departments can differ, with some following Civil Service guidelines like the Canton PD. The Canton PD, under Chief Rafferty's leadership, regularly communicates with the MPTC to discuss expected job openings, academy availability and the need for recruit officer training.

Any potential Canton PD recruits are mandated to meet certain criteria as per state regulations, including being at least 21 years old, being sponsored by the Canton PD, passing the Physical Agility Test (PAT) and a medical examination conducted by the Massachusetts Human Resource Division before joining the academy. The Canton PD's recruitment process involves several stages to ensure that the most qualified candidates are selected. Specifically, applicants must meet the following state requirements:

- Demonstrate physical, mental, and emotional fitness to carry out the essential duties of a full-time police officer.
- Meet the minimum standards established by the Massachusetts MPTC for permanent full-time police officers.
- Submit a comprehensive application packet with all required supporting documentation.
- Provide fingerprints and undergo a thorough background investigation conducted by the Canton PD.
- Fulfill all statutory requirements outlined by the POST Commission to obtain certification as a law enforcement officer under Chapter 6E, Section 4.
- Have a clear record in the National Decertification Index.
- Successfully pass a psychological "Fitness for Duty" assessment.
- Clear a medical and physical examination.
- Successfully complete the PAT, administered by the Commonwealth of Massachusetts.
- Meet the fitness standards set by the MPTC, specifically the Cooper Aerobic Institute standards for Entry-Level Fitness.
- Participate in a final interview screening conducted by Canton PD leadership.
- Successfully complete the recruit officer academy operated by the MPTC.

These requirements are designed to ensure that candidates have the necessary skills, abilities, character, and qualifications to serve as police officers in the Canton PD. Upon graduation new officers must complete a Field Training Evaluation Program, (FTEP)

b) Review training during probationary period and c) Review compliance with Post Commission training standards

Following the completion of their training at the MPTC academy, new Canton Police Officers (CPOs) are required to undergo a one (1) year probationary period as outlined in Massachusetts Civil Service law Chapter 31, Section 61, and Massachusetts POST requirements. At the commencement of the probationary period, new recruits participate in the Field Training Evaluation Program (FTEP) under the supervision of the Training Liaison Officer, Canton PD Deputy Chief Sherill.

The Canton PD FTEP Program is designed to provide newly certified officers with practical training immediately after their graduation. During this program, new officers are paired with a senior Canton PD patrolman (FTO) for a minimum of four (4) weeks (equivalent to twenty (20) training days), during which they rotate through shifts under the guidance of three (3) different FTOs. The aim is to expose the new officers to real-world scenarios and provide them with hands-on experience, reinforcing the skills learned at the academy.

Throughout the FTO Program, the FTO assesses the new officer's performance, attitude, and application of academy teachings. Real-time feedback and constructive criticism are provided to help the new officer improve and excel within the Canton PD. Additionally, new officers are trained on Canton PD policies, procedures, conduct rules, and expected behavior. *[Note: Our team interviewed officers who recommended the FTO program should be more than four (4) weeks of training.]*

Observations of the new officers are documented daily and weekly by the FTO, covering all aspects of their job performance and adherence to departmental policies. The Canton PD currently has two (2) FTOs, with a third officer scheduled for certification. Canton PD Policy Section 1.45 outlines the departmental policy regarding the FTO program, with FTOs selected by the Chief of Police based on the department's needs and the officers' level of experience.

FTOs undergo initial training through a forty (40) hour program conducted by the MPTC, with refresher courses every two (2) years. They are also required to attend annual in-service training on laws and policies, in line with CALEA requirements. FTOs operate under the supervision of the shift commander or another designated senior officer, ensuring compliance with Massachusetts and CALEA standards.

The candidate list is based solely on the score of a written exam, with the exception that veterans and dependents of police officers killed in the line of duty are automatically placed at the top of the list. Additionally, if there are any police officers anywhere in the Commonwealth who have been laid off and have not been hired back, they also go to the top of the list for consideration. Candidates are interviewed and the Appointing Authority (Town Select Board) decides on which candidate receives a conditional offer of employment. The conditional offer of employment is made pending the successful completion of a psychological exam (paid for by the town), a medical exam (paid for by the town), and a Physical Abilities test administered by Civil Service. If the town selects anyone, but the highest ranked candidate, they must put in writing why a higher ranked (based solely on test scores and/or veteran or other preference) person was not selected. This decision is subject to an appeal to the Civil Service Commission by anyone who is aggrieved by the decision.

Promotions

In 2024, Hanrahan Consulting was hired by the town to conduct assessment center testing for Canton PD Sergeant and Lieutenant applicants. Justin Hanrahan, the Watertown Police Chief, oversaw the promotion exams. Canton PD takes the requisite number of names from the top of the list of candidates, restricted to a formula of $2N+1$, or 3 candidates if promoting one (1) Sergeant or Lieutenant (it could be more candidates if there are tied scores). This decision is subject to an appeal to the Civil Service Commission by anyone who is aggrieved by the decision.

In coordination with the police union, the town human resources division is given statutory authority to establish the form and content of these examinations, written or assessment center exams. By statute, all candidate examinations must fairly test the knowledge, skills and abilities that can be practically and reliably measured, and which are required to perform the job.

The Audit Team conducted interviews with Canton PD officers who took part in the 2024 promotion process for the rank of Sergeant. These officers indicated that the selection process involved the use of a scenario-based assessment center to evaluate and rank the candidates. Three (3) scenarios were presented to assess the applicants. Some officers expressed the view that the scenarios did not effectively reflect the daily responsibilities of a Canton PD Sergeant. They mentioned that Chief Helena Rafferty and Westwood Chief Jeffrey Silva acted as role players and evaluated the applicants.

Several candidates suggested that Canton PD officers should have a minimum of five (5) years of experience before being considered for promotion. However, in line with Massachusetts Civil Service regulations, the Canton PD allowed candidates with just one (1) year of service to participate and apply for promotion. The scoring system incorporated considerations, such as years of service, educational background, leadership certifications, and training. Some officers also claimed that political factors could influence promotion decisions within the Canton PD.

In another instance, our team spoke with Canton PD officers who applied for a detective position within the department. One (1) detective applicant reported that the selection process involved a panel consisting of Canton PD command staff members and an ATF Special Agent.

d) Evaluate whether the town has the personal and departmental equipment that would be expected in a town of its size.

The Audit Team evaluated police personnel, and administrative staff, assigned to departments similar in size. We also conducted an interview with a Chief of Police from a neighboring town, who disclosed his department has significantly more civilian staff, and highlighted the benefits of employing two (2) civilian dispatchers on each shift to support police operations, allowing officers to focus on crucial tasks. In contrast, the Canton PD does not currently utilize civilian dispatchers or full-time administrative staff. At present, the Canton PD has a part-time administrative assistant who handles various tasks such as payroll, police details, billing, accounts management, and monitors department expenditures.

e) Review the effectiveness of training incentives and other educational increments.

The Quinn Bill, also referred to as the Police Career Incentive Pay Program (PCIPP), was established by the Massachusetts legislature in 1970 to incentivize police officers to pursue education in criminal justice.

Research indicated that the criminal justice system would be enhanced by having a higher number of officers with advanced degrees in the field. Under the program, officers received additional compensation tied to the level of degree achieved: ten percent (10%) for an associate’s degree, twenty percent (20%) for a bachelor’s degree, and twenty-five (25%) for a master’s degree or a law degree. The Quinn bill applies to the Canton PD officers as it relates to educational benefits. This benefit is paid by the Town of Canton.

In addition to the Quinn Bill the police department offers incentives for training and certifications in: Emergency Medical Training, Use of Force, Firearms Instructor, First Responder, Accident Investigations, Exam and Promotions officer, Firearms Licensing, Background investigations, National Incident Based Reporting Systems (NIBRS), Range Officer, Fleet Officer, Range Officer, School resource Officer, Field Training Officer, Less than Lethal Force (Taser) Instructor and Community Liaison Officer. These incentives range in pay from \$1,450 annually to \$9,400 annually and are negotiated by their respective unions.

f) Review Town of Canton police department hiring practices and make recommendations.

Civil Service plays an important role in ranking and selecting new officers. Prior to exercising police powers in the Commonwealth, individuals must successfully complete the prescribed course of study for basic police training authorized by Municipal Police Training Committee (MPTC). The Municipal Police Training Committee sets the standards for basic police training for candidates hired by individual police departments throughout the Commonwealth. Those police departments submit applications for their employee (or sponsored candidate) to our recruit academies. Hiring practices vary by department and certain departments, operating by Civil Service, (Canton PD) must follow a selection process set forth by statute.

All Canton PD recruits in accordance with state law must: 1.) be a minimum of 21 years old; 2.) be employed or sponsored by the Canton PD, and 3.) successfully complete the Massachusetts Human Resource Division's Physical Ability Test (PAT) and medical examination before assignment to the academy.

The Canton PD’s hiring process consists of multiple phases ensuring the most qualified applicants are hired. Specifically, candidates must meet the state requirements of:

- Demonstrating a sufficient physical, mental and emotional condition to perform essential job functions of a full-time police officer.
- Successfully meet the minimum standards for a permanent full-time police officer as established by the MPTC.
- Submission of an application packet containing supporting documentation.
- Submission of fingerprints and successfully completing a background investigation conducted by the Canton PD.
- Fulfillment of all statutory requirements as set forth by the POST Commission to become a certified law enforcement officer under Chapter 6E Section 4.
- Returning as a negative check within the National Decertification Index.
- Passing a psychological “Fitness for Duty” assessment.
- Passing a medical/physical examination.

- Successfully completing the Commonwealth of Massachusetts Physical Agility Test (PAT).
- Successfully completing the MPTC Entry-Level Fitness Standards (Cooper Aerobic Institute).
- Passing a final interview screening consisting of Canton PD leadership.
- Successfully completing the MPTC operated recruit officer academy.

It is vital to emphasize the caliber of the Background Investigations (BI) carried out by Canton PD investigators on potential candidates. These BI investigations play a crucial role in evaluating the character and moral values of applicants before they are hired by the Town of Canton. The Canton PD assigns detectives to handle the BIs of prospective employees, ensuring a rigorous vetting process to identify the most competent and deserving candidates for the Canton PD.

Thorough interviews are conducted as part of the investigation process, but their effectiveness is contingent upon the honesty, integrity, and accuracy of the interviewees. Should the information provided to the investigator be incomplete, untruthful, or inaccurate, the reliability of the BI may be compromised without the investigator's knowledge. It is imperative for the investigator to verify the information to the best of their ability and to recognize and address any conflicting details, even after the completion of the investigation. Accuracy and truthfulness stand as the paramount elements in any investigative process.

In 2024, the Canton PD brought onboard a new police recruit, referred to as “the recruit.” In early September 2023, the recruit disclosed during a Canton PD interview that a past incident with his then-girlfriend resulted in a "police contact." This incident did not lead to any arrests or the filing of restraining or protective orders. The Canton PD, upon learning about this, obtained the police report detailing the "police contact," which revealed it stemmed from a verbal argument with no violence or assault indicated. Efforts to reach the girlfriend for a statement corroborating this information proved unsuccessful.

Additionally, the Canton PD's background investigation referenced a separate inquiry done by the Massachusetts State Police in the same year. The State Police had interviewed the girlfriend, who confirmed no physical altercation occurred during the argument that resulted in the "police contact" and asserted that the recruit had never been violent in their three (3)-year relationship. Based on this, the State Police proceeded with the recruit's application process.

The decision to hire the recruit was made following a comprehensive background investigation that found no red flags that would hinder the recruit's success as a police officer. Relying on the credibility of the information provided by the state police investigation, the Canton PD moved forward with hiring the recruit. The recruit graduated from the police academy in May 2024 and joined the Canton Police Department.

Subsequently, as a Canton Police Officer, (CPO) the former recruit, now serving as officer, applied for a position with the Braintree Police Department (PD) in late August/early September 2024. The town of Braintree conducted its own background check, discovered the same information pertaining to the “police contact” and interviewed the girlfriend who had returned to town. During this interview, the girlfriend expressed surprise that the CPO was now an officer and recounted instances of concerning behavior, including alleging that the CPO had been physically aggressive towards her during their relationship. The girlfriend admitted she had not disclosed this information earlier to the State Police and further admitted

she avoided contact with the Canton PD because she did not want to be questioned about this incident, out of fear for her safety by the CPO.

Upon being informed of these allegations by the Braintree PD Chief, Canton PD Chief Rafferty took immediate action. An IA investigation was initiated, the CPO was placed on administrative leave, and a preservation order was issued to secure all relevant records. To ensure an unbiased investigation, an external investigator was hired.

Before the IA investigation concluded, the CPO resigned from the department voluntarily. This instance highlights the commitment of the Canton PD to hiring and retaining only the most qualified individuals. Notably, no formal complaint was ever filed, and the decision to investigate was driven by the command staff and the Chief's discretion.

The Canton PDs hiring practices and background investigations are in compliance, with POST Standards and MPAC requirements.

g) Review the adherence to compliance of 555 CRM 1.00 PEACE OFFICER STANDARDS AND TRAINING COMMISSION.

The Audit Team reviewed 555 CRM1.00 Peace Officer Standards and Training (POST) Commissions requirements and measured its compliance to the Canton PD. According to POST555, this is a basic summary of the Minimum Requirements for Internal Agency Investigations.

- Upon receipt of a complaint, the agency must initiate an internal investigation within fourteen (14) days or promptly request an extension if necessary due to external investigatory efforts. The request should include a proposed timeline for starting the investigation and reasons for the delay.
- Internal investigations may be conducted by an investigator from within the agency, or by an external investigator. The assigned investigator must be impartial and report directly to the agency head, or a designated official, excluding those involved in the complaint.
- The investigator should:
 - Preserve all potentially relevant evidence, such as documents, e-mails, text messages, and recordings.
 - Notify the officer and their bargaining unit of the ongoing investigation.
 - Interview relevant witnesses, including the complainant, alleged victim, involved officer, and witnesses. Interviews should be documented, and interviewees have the right to representation and translation services.
- Investigations must maintain confidentiality within legal limits.
- The investigation should be concluded within ninety (90) days of receiving the complaint, with the option to request an extension if needed, providing a timeline and reasons for the delay before the ninety (90)-day mark.

Internal Investigation Reports

Once the internal investigation is concluded, the agency's head must promptly forward a signed investigation report by the investigator to the division of standards. The report should include:

- An account of the evidence or complaint allegation.
- Details of the investigation and resolution of the complaint, including any disciplinary actions suggested by the investigator, a supervising officer, or initiated by the agency's head.
- A list of witnesses interviewed, noting whether each interview was recorded and reasons for any unrecorded interviews, along with a summary of all collected evidence.
- Documentation of any inaccessible witnesses, or evidence and explanations for their unavailability, as well as any instances of evidence destruction, or loss with details of such incidents.
- Findings of fact determined by the investigator.
- The investigator's assessment of whether the facts reveal behavior that violates laws or officer standards.
- Reasons for any delays in submitting the investigation report beyond the ninety (90)-day timeframe specified in 555 CMR 1.01(2)(e).
- If disciplinary actions, such as retraining, suspension, or termination were suggested or imposed, the agency head's recommendation to the commission on implementing such actions, including potential certification revocation.

Final Disposition of Internal Investigations by an Agency

Upon finalizing the complaint resolution and disciplinary measures, if any, the agency head shall promptly send a final report to the division of standards, including:

- Overview of the adjudicatory process.
- Any disciplinary actions proposed initially by the investigator or a supervising officer.
- Details of disciplinary actions enforced by the agency head.
- Recommendations from the agency head, backed by facts from the investigation report, on how the commission should proceed with recommended disciplinary actions, such as retraining, suspension, or certification revocation.
- Confirmation of the officer's legal representation or authorized representative status.

h) Solicit and summarize employee top recommendations for excellence

When presented this question, officers unanimously requested the following:

- More training opportunities.
- Support from Town Boards and Town elected officials. The officers expressed a need for support from their elected leaders and the town officials they represent.
- Equipment upgrades, such as radios communications enhancements and ballistic shields.

Other comments and recommendations from the officer interviews were captured in *Section 6, part (d): Explore the Morale of the Department*.

RECOMMENDATIONS

The Audit Team recommends the department hire an intelligence analyst to support the Detective Bureau. The intelligence analyst could also assist the Deputy Chief of Police with tasks, such as managing Freedom of Information Act (FOIA) requests, investigative inquiries, and police report redactions. It is important to note that the Deputy Chief of Administration oversees FOIA responses.

Furthermore, the Audit Team suggests hiring one (1) civilian dispatcher for each shift to work alongside a uniformed police officer in the dispatch area. The additional personnel would ensure continuous coverage for phone calls, radio communications, and walk-in inquiries without compromising any specific duty. This setup would also enable sergeants to focus on supervising patrol officers, responding to calls, maximizing the presence of officers patrolling assigned areas, preventing illegal activity, and enforcing laws.

The Audit Team suggests addressing the following equipment needs for Canton PD officers in addition to the recommended hire positions:

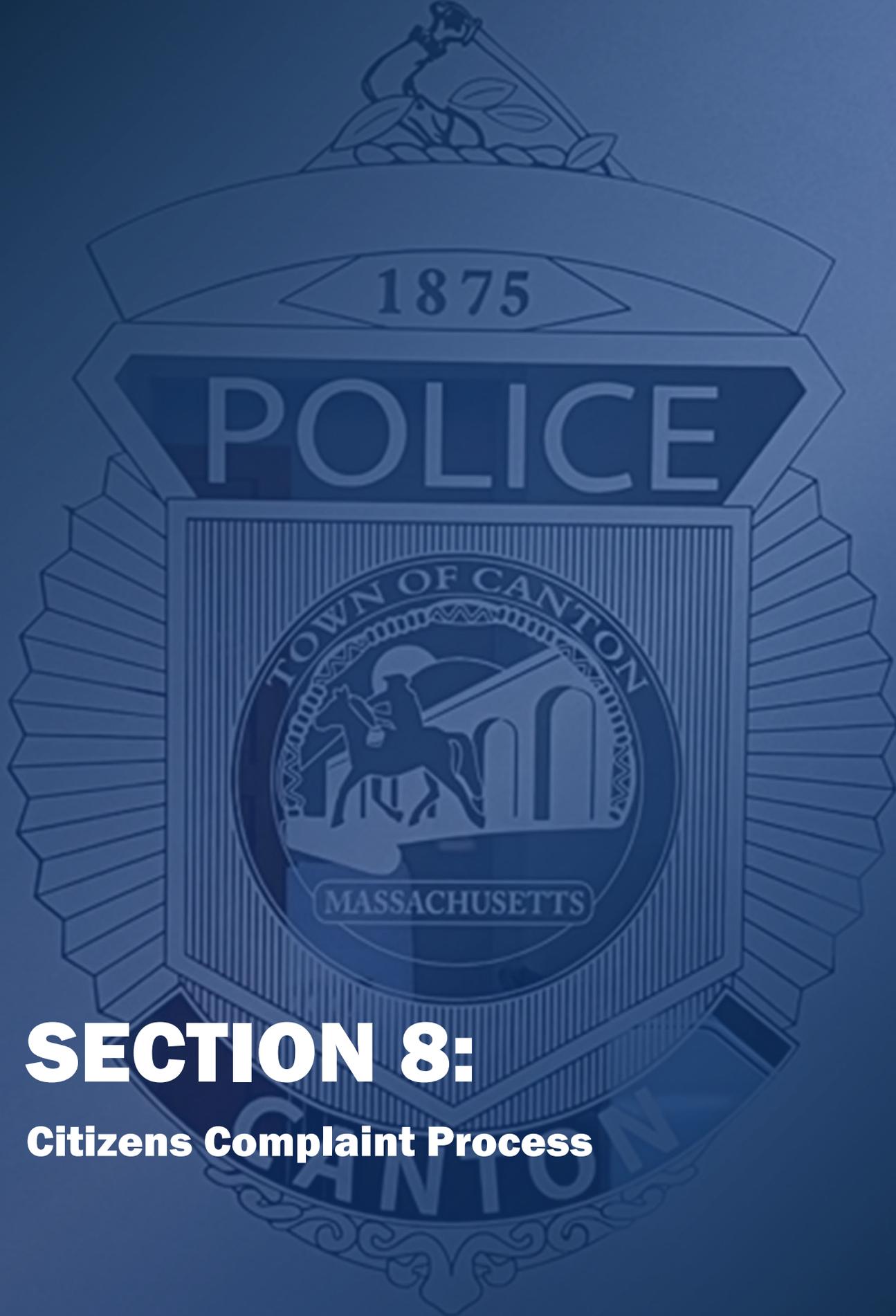
- **Portable Radio Coverage:** The portable radios currently in use have dead zones, notably one on Washington Street in the center of town. This presents a serious safety concern as officers are unable to communicate with the department when outside of their vehicles. Immediate assistance requests or medical aid for civilians become impossible without returning to the vehicle. It is essential to address this issue for effective communication.
- **Home to Work Utilization of Police Vehicles:** The on-call detective, detective sergeant, and detective lieutenant should have the privilege of utilizing police vehicles from home to work. Responding investigators and supervisors should not have to use personal vehicles when called to a scene. The practice of having to switch vehicles at the station before responding to a call is inefficient and needs to be improved.
- **Cellular Phones:** Ideally, every Canton PD officer should have a department-issued phone. If this is not feasible, supervisors of the rank of sergeant or higher should be provided with department-issued phones. Additionally, each patrol vehicle should be equipped with a department-issued phone to ensure constant communication, especially in areas with poor radio coverage.
- **Digital Cameras for Sergeants and Lieutenants:** Each sergeant and lieutenant vehicle should be equipped with digital cameras for documentation purposes. This will aid in preserving evidence and documenting incidents effectively.
- **Crime Scene Processing Equipment for Detectives:** Detective vehicles should be equipped with crime scene processing and collection equipment to facilitate thorough investigations and evidence collection.

- **Crime Scene Preservation Equipment for Patrol Cars:** Each patrol car should be equipped with crime scene preservation kits, and documentation equipment to ensure proper handling of crime scenes and evidence.

Addressing these equipment needs will enhance the operational efficiency and safety of Canton PD officers, contributing to effective law enforcement practices.

As it relates to 555 CRM 1 POST-For those violations and allegations of misconduct that rise to the level of POST reporting requirements, a review of those internal investigations and its process found the Canton PD is in full compliance.

Where a variation from policy and/or best practices existed was on the allegations of misconduct that did not rise to the level of POST certification requirements. The handling of those matters varied in the manner in which they were investigated, documented and adjudicated. The Audit Team found no evidence of misconduct being arbitrarily dismissed or ignored, and each allegation was addressed; however, the lack of consistent documentation, manner of investigation and methods utilized to address allegations and complaints was not always in the best practices. As was outlined in *Section 3: Professional Standards and Accountability*, the Audit Team has recommended a system for the receipt, documentation, investigation, adjudication, and reporting of allegations of misconduct and civilian complaint



SECTION 8:

Citizens Complaint Process

SECTION 8: CITIZENS COMPLAINT PROCESS

a) Examine the process for receiving, tracking, and resolving complaints.

The Canton Police Department (Canton PD) offers a complaint form accessible to town citizens, available on their website and at the police department's service window. The tracking and resolution of complaints is overseen by the Chief of Police, who is responsible for recommending disciplinary and adverse actions against Canton PD employees. The Chief maintains investigative files for complaints, investigations, and suggestions.

According to Canton PD Rules and Regulations, upon receiving a complaint that warrants an internal affairs (IA) investigation, the Canton PD will conduct an investigation within ten (10) days. The officer must document any delays and seek the Chief's permission for extensions. Once the complaint is submitted, the acceptance date and time are noted for the complainant's records.

In the event of exigent circumstances preventing completion, the investigating officer must inform the Chief in writing. The Chief of Police must inform both the employee under investigation and the complainant of the internal investigation results within seven (7) days post-completion.

The Officer-in-Charge is required to update the Chief on the investigation progress every five (5) days. Employee rights are safeguarded, with employees receiving a written statement outlining the allegations, as well as their rights before any questioning. The employee can request legal representation if the investigation does not face undue delays and may have representation present if they anticipate disciplinary action.

The Audit Team reviewed several years' worth of civilian and defendant complaints, starting with the most recent, involving the current senior administration. Each complaint was evaluated at the Chief /Deputy Chief level and often the Chief and/or one of her Chief Deputies would investigate the allegation. This is undoubtedly the result of the political climate, and the public scrutiny placed upon the Canton PD. The Audit Team found that all complaints and allegations were assessed, investigated when appropriate with discipline issued when required and necessary, although these matters were not handled in the manner typically associated with IA investigations.

The complaint files were not maintained in a consistent manner and the methods of investigation varied. While the Deputy Chief of Operations and Investigations was responsible for overseeing the investigation, recent retirement of personnel has left a void of experienced investigators capable of performing an IA investigation. Additionally, in an apparent effort to appease the public, senior management of the Canton PD have started handling the entirety of the process to include the investigation, evaluation, and adjudication of the allegation, or they have opted to hire outside independent investigators to perform duties that can and should be conducted internally by senior detectives.

b) Assess transparency in complaint handling.

During the past five (5) months, the Audit Team has been examining IA investigations, civilian complaints, and allegations of misconduct involving members of the Canton PD. In the late 1990s, the Canton PD would typically receive three (3) to five (5) complaints in a year. However, this volume has been on the rise due to increased rumors and public scrutiny. The Audit Team has not found any evidence of the Canton PD

attempting to conceal or cover up sustained misconduct. As cited in *Section 3: Professional Standards and Accountability*, and *Section 7, part (g): Compliance with Peace Officer Standards Training and Commission Regulations*, and in *Section 8, part (a): The Process for Receiving, Tracking, and Resolving Complaints*, the Canton PD has historically lacked consistency in the process.

Under Chief Rafferty's tenure as Chief, there has been a noticeable improvement in accountability, documentation, and process implementation. Due to public perception concerns regarding corruption and misconduct, the Canton PD has decided to hire independent outside investigators at the town's expense to conduct these investigations.

The Canton PD has been compliant in reporting investigations of serious allegations as defined by POST standards. The Audit Team's recommendations aim to help Canton PD establish a comprehensive oversight system and structured processes for investigating misconduct allegations thoroughly, irrespective of the source. This system will also facilitate real-time, accurate, and transparent reporting to oversight boards and elected officials within the town.

c) Review timelines for complaint resolution.

In accordance with Canton PD Rules and Regulations, when a complaint is received IA is responsible for overseeing an investigation that should be completed within ten (10) days after the assigned officer has made communication with the complainant. Any delays in the investigation process and requests for extensions should be submitted to the Chief for approval. All Canton PD policies and POST requirements regarding extensions were adhered to in cases where delays have exceeded the ten (10)-day timeframe. Outsourcing IA investigations to external parties can impact the timeliness and completion of misconduct investigations and complaint resolutions.

d) Evaluate communication with complainants.

While the department must establish and operate consistently within a system regarding the process for submitting complaints, acknowledging the receipt of complaints, and informing complainants of the commencement and outcome of IA actions, no obligation exists to provide complainants with updates on the investigation or an explanation for findings.

Canton PD adheres to these guidelines and provides more information to complainants than is required which can be detrimental to the department. Excessive communication can lead to additional allegations and create a potentially unfair environment for the officers.

The complainant has a right to:

- File the complaint and receive a copy of the complaint and verification of its filing.
- Be notified that an internal affairs investigation will take place.
- Be notified of the investigation findings, and if it was an IA investigation, know whether the complaint was unfounded, substantiated, or unsubstantiated.

e) Recommend enhancements to ensure fair and efficient complaint resolution.

The department has established protocols for handling complaints and maintains a comprehensive policy that adheres to CALEA and POST standards for addressing complaints effectively.

However, there is a need for the department to ensure uniformity in the application of disciplinary measures such as suspensions, reprimands, and counseling sessions for officers. It is imperative that all disciplinary outcomes are thoroughly documented, stored in a secure database, and used as a reference for maintaining consistent and equitable treatment for similar cases of sustained misconduct. The Chief of Police should oversee disciplinary matters using this system, ensuring fairness and impartiality in decision-making while preventing external influences from affecting disciplinary actions.

The department's reliance on outsourced investigations, coupled with heightened public scrutiny and the expectation for strict disciplinary responses to policy violations, may inadvertently introduce bias into the disciplinary system.

f) Review policy of complaints and compliance to policy, and if all complaints are acted on fairly and equitably.

As stated above, the department has established protocols for handling complaints and maintains a comprehensive policy that adheres to CALEA and POST standards for addressing complaints effectively.

The issues that exist in the current environment are driven by the public demand for immediate and harsh penalties for allegations of misconduct. The Chief of Police, with the approval of the Select Board, relieved a Detective from his duties prior to the completion of an internal investigation. The Detective was placed on paid administrative leave for three (3) months while the IA investigation was ongoing. This action was taken due to allegations that the detective lost his firearm and consumed an alcoholic beverage (beer), in violation of department policies and procedures, while on duty.

Following the IA investigation, it was determined that the detective had indeed violated policies and procedures, and he was subsequently suspended for three (3) days. An audit of the department's IA investigations spanning two (2) decades found that the detective had been treated unfairly by being placed on administrative leave for three (3) months before the investigation was completed. The Audit Team noted that other Canton PD officers faced more serious allegations, including those that resulted in suspensions and demotions, yet remained on full duty throughout their investigations.

The resulting discipline issued to the Detective was appropriate, however if the IA investigation was handled by a senior lieutenant in-house, as it should have been, the investigation could have been completed in under a week to include interviews, schedules, and conclusions. Doing so would have saved the town money and department resources.

This scenario underscores the necessity of the database discussed in *part (e) Recommend Enhancements to Ensure Fair and Efficient Complaint Resolution*, as well as the importance of retaining records of all disciplinary actions taken. Placing the Detective on administrative leave prematurely was likely driven by misguided public pressure and scrutiny. It also emphasizes the challenge of managing public expectations regarding police command decisions, which can potentially compromise the impartiality and consistency of officer treatment within the department.

g) Review and analyze workflows to respond to concerns in a timely manner.

The police department should avoid outsourcing investigations to external firms when senior detective lieutenants are capable of conducting them effectively. This reallocation of funds seems unnecessary and may be driven by a desire to appease public opinion, which remains unsatisfied with past outcomes. Investing these financial resources in training and acquiring essential equipment would be a more justifiable use of resources.

All civilian complaints should be directed to the Canton PD Desk Sergeant. When a civilian enters the Canton PD with a complaint, they will receive a form to complete. The completed form will be logged in dispatch with a time stamp, a copy provided to the complainant, and the original sent to the Deputy Chief of Operations and Investigations for assessment and further action. In cases where an Internal Affairs (IA) investigation is warranted, the Deputy Chief of Operations will document the rationale in a report, assign an IA number to the complaint, and appoint an investigator with suitable rank and experience. Investigators should conduct recorded statements that can later be transcribed and submitted in writing. All evidence obtained during the IA investigation must be handled like evidence. Any confirmed misconduct or policy violations should be addressed using a disciplinary matrix to ensure consistency in corrective actions.

The Deputy Chief of Operations will inform the Chief about the investigation and allegations, ensuring compliance with POST requirements. Upon completion of the IA investigation, the entire file will be reviewed by the Deputy Chief of Operations for completeness. If deemed thorough enough to assess the validity of the complaint, the file will be passed onto the Deputy Chief of Administration for further review of policy violation.

The Deputy Chief of Administration will analyze the file for policy violations by any Canton PD member, regardless of the original complaint recipient. Misconduct violations will be documented by policy number, directives, infraction date, and specific details of misconduct. The findings will be recorded, and a report, along with the complaint and the IA file, will be submitted to the Chief for a final decision based on collective bargaining agreements, town by-laws, civil service regulations, and CMR 555.

The Chief will document her decision on counseling, reprimand, discipline, or clearance with the officer receiving a copy of the decision letter as the final IA Investigation document.

According to policy, the Canton PD must conclude an investigation within ten (10) days of the investigator contacting the complainant. POST mandates that an investigation must begin within fourteen (14) days of receiving the complaint.

Communication with the complainant should be limited to the necessary information required by POST, such as acknowledging receipt and providing an outcome of the investigation if applicable. Excessive communication with complainants should be avoided once the department has fulfilled its obligations. While the Town Selectman has the right to review and seek clarification on internal affairs investigation findings, these results should not be subject to public negotiation.



SECTION 9:

Conflicts of Interest

SECTION 9: CONFLICTS OF INTEREST

a) Review potential conflicts of interest and adherence to conflict-of-interest rules, laws, and regulations among officers, staff, elected officials, and appointed officials as related to the Canton Police Department.

The Audit Team found no conflicts of interest among Canton PD Officers in relation to elected officials. Canton employs a community policing strategy, with nearly 40% of officers having ties to the town. While relationships between department members and the community are common, they do not necessarily indicate conflicts of interest. However, the department's frequent self-recusals from investigations, interviews, and police actions in efforts to prevent perceived conflicts of interest have inadvertently created the perception that one exists.

b) Assess policies on gifts, secondary employment, and relationships.

The Canton PD has implemented strict Rules and Regulations that prevent officers from accepting gifts or engaging in secondary employment. According to these regulations, employees are not permitted to request, solicit, or receive gifts, loans, rewards, or fees connected to their roles within the department, unless specifically permitted by departmental policy.

It is explicitly stated that employees must not receive any form of compensation from any source with the intention of gifting it to an active officer, or employee without prior authorization from the Chief of Police. Any unauthorized gifts or rewards received by an employee must be promptly reported to the Chief along with details of the circumstances. Additionally, regulations set by the State Ethics Commission forbid the acceptance of gifts or gratuities exceeding a total value of \$50.

Upon review, the Audit Team did not find any instances of these policies being violated.

c) Review disclosure procedures and see if they have been followed.

The Audit Team has thoroughly examined records, FOIA requests, investigations, incidents related to mental health, civilian contacts, civilian complaints, and non-enforcement police contacts. Our team has not uncovered any evidence suggesting the existence of a conflict of interest that was not disclosed. No evidence was found indicating conflicts of interest have influenced police actions, criminal investigations, evidence gathering, crime scene processing, or the overall workflow of the Canton PD's daily operations.

d) Review the influence of family members of the police and elected officials.

Select Board member, Chris Albert, is the brother of Canton PD detective. Selectman Chris Albert recuses himself from all votes relating to patrolmen and detective contracts.

e) Review cases that were handed over to the Attorney General and the State Police for conflicts of interest and report back on the outcomes of those investigations when possible.

The Audit Team found no instances of cases being referred to the Attorney General or State Police due to conflicts of interest. In cases, such as with Sandra Birchmore and John O'Keefe, the State Police took control in accordance with Massachusetts Law Title VI, Chapter 38, Section 4, which requires the District Attorney, or their designee, to supervise death investigations alongside relevant agencies. However, the

Canton PD was not barred, or forced to recuse themselves from involvement, but chose to step back in what the audit committee views as an unjustified action. In the instance of John O’Keefe, the Canton PD decided not to participate in follow-up interviews of witnesses with MSP due to perceived conflicts of interest. *[Note: Canton PD conducted witness interviews of several individuals on the morning of January 29, 2022.]* As first responders, the Canton PD is obligated to enforce the law and conduct investigations. Their recusal, undertaken to address public concerns, led to delays in securing the crime scene, managing witnesses, and documenting statements.

f) Review any potential conflicts of interest between the Canton Police Department and State or Federal agencies.

The Audit Team found no conflicts of interest between state and federal agencies. Inquiries with federal and state law enforcement agencies showed that the men and women in the Canton PD are respected in the law enforcement community.

g) Recommend measures to prevent and address conflicts.

Canton PD officers are required to recuse themselves from investigations if they have a personal connection with a complainant, or a person under investigation, and that relationship compromises their impartiality. Currently, Canton PD regulations do not explicitly detail procedures for officers dealing with potential conflicts of interest during investigations, thus leaving the decision on how to proceed at the discretion of the officer and Canton PD leadership. This approach is deemed appropriate for a department of Canton's magnitude. Each situation encountered by an officer presents unique difficulties, and collaboration among officers is crucial. Oversight by senior personnel is an important factor in avoiding conflicts of interest. By encouraging and enforcing ethical behaviors, as well as empowering Canton PD officers, conflicts of interest can be effectively managed. The current standard practice of removing officers from cases involving familiar individuals without clear guidelines undercuts the department's neutral recusal process.



SECTION 10:

Select Board Oversight & Industry Standards

Image source: Boston Herald

SECTION 10: SELECT BOARD OVERSIGHT AND INDUSTRY STANDARDS

a) Assess the oversight of the Police Department provided by the Select Board.

The Board is responsible for the general policy development, policy implementation, and delivery of municipal services involving the Canton PD. The Select Board, as outlined in the charter and by-laws, functions as commissioners with direct oversight of the police department. Consisting of five (5) members, the Select Board is tasked with supervising the department and appointing the Police Chief. The authority to provide direct oversight and regular supervision of the police department is delegated to the Town Administrator. Each board member reserves the right to speak on any issue, but agrees and understands that they cannot act alone, or act in a manner inconsistent with the Select Board Administrative Code of Conduct.

Chief Rafferty is currently serving under a one (1)-year contract, a decision reportedly influenced by citizen concerns regarding the handling of the John O'Keefe investigation by the Canton PD, with Chief Rafferty having served as Acting Chief of Police during the death incident on January 29, 2022.

Chair Loughran noted that former Chief Berkowitz had previously received multi-year contracts from the Select Board. The Board maintains direct communication with the Chief of Police on matters of public safety and authorizes budget allocations. In cases of critical incidents, or serious crimes within the town, Chief Rafferty informs the Town Administrator, who typically informs the Select Board.

Chief Rafferty meets monthly with all Select Board members to discuss public safety issues, ongoing initiatives, and budgetary needs. In November 2024 the Chair of the Select Board received a complaint from a business owner, who alleged a possible criminal offense involving a Select Board member. The Select Board and Town Administrator then contacted the Chief of Police with the allegation and video of the violation.

This was an inappropriate action by the Town Administrator, Select Board member and ultimately the Chief of Police. When notified, the Chief should have directed the complainant to the police department's desk sergeant to file a formal complaint in the same manner required of citizens. The complaint would include their statements and any evidence supporting the allegation. This would follow the standard procedures the Audit Team has outlined in other sections of this report for handling information and complaints on potential crimes or violations. In bypassing these steps and handing the information directly to the Chief, they unintentionally put both the Chief and the department in a difficult position, where any decisions regarding the allegations would be scrutinized. Additionally, this type of complaint makes the Chief a witness, while still acting as the final adjudicator for the department.

Interviews with Select Board members indicate a positive and constructive relationship with the police department, though not all select board members are police supporters.

b) Determine who was/is the point of contact person on the Select Board who communicates with the Police Chief.

The Audit Team found that there is no designated primary contact person from the Select Board who regularly communicates with Chief Rafferty. Chief Rafferty mentioned that Select Board Member Patrica Boyden had requested regularly occurring monthly meetings with her to discuss police matters. In addition to Ms. Boyden, Chief Rafferty interacts with other Select Board members, such as Chris Albert, Chair Michael Loughran, Vice-Chair John McCourt, and John Connolly. Chief Rafferty receives direct calls from the Select Board members and addresses any inquiries they may have. It is important to note that, as per the Town of Canton charter, the Select Board has oversight of the police chief, but the Town Administrator provides direct oversight and supervises the police chief.

The Audit Team conducted interviews with the select board members and learned the following information:

Michael C. Loughran, Chair

On December 5, 2024, Michael Loughran, Select Board Chair was interviewed. Chair Loughran stated he has a good working relationship with Chief Rafferty. Mr. Loughran advised he is briefed regularly on public safety issues. All Select Board members have access to Chief Rafferty and there is no single point of contact that communicates with the Police Chief. Chair Loughlan stated he, along with other members of the Select Board, have confidence in Chief Rafferty's ability to lead the department. He further explained the death of Boston Police Officer John O'Keefe has caused a serious divide among members of the community who have lost confidence in the police department.

John R. McCourt, Vice-Chair

On December 5, 2024, John R McCourt was interviewed and said that he has been on the Select Board for twenty (20) months. Mr. McCourt is a lifelong resident of the Town of Canton and employed with the housing authority. When asked what level of confidence he has with Canton PD and the leadership, he said "I am in the middle," but overall is satisfied with the police department. He interacts with Chief Rafferty, but not regularly. Mr. McCourt said he would prefer a more effective way of receiving information related to critical incidents that happen in the town. He was not notified of an incident involving numerous juveniles in the town that vandalized a home the day before Thanksgiving.

John Connolly

On February 21, 2025, John Connolly was interviewed. Mr. Connolly is a lifelong resident of the town. He has an excellent working relationship with Chief Rafferty and other members of the Canton PD and has been a member of the Select Board for over thirty (30) years. Mr. Connolly was aware the Canton PD is understaffed and would work with the Select Board to obtain additional funding for officers. He spoke with Chief Rafferty about staffing and will recommend the police department to add two (2) police officers to the Table of Organization. Mr. Connolly has full confidence in the police department and fully supports Chief Rafferty to be retained for an additional three (3) years. He would recommend adding administrative staff to the department to support officers. Mr. Connolly stated that Select Board members select new officers, approve promotions, and approve new contracts for all officers.

Chris Albert

Mr. Albert mentioned that he is among the most recent additions to the Select Board and made it known that his brother serves as a detective within the Canton PD. He shared that he plays a role in negotiating contracts with the police force, excluding those involving the patrol and detective union. Mr. Albert expressed that he maintains a positive rapport with Chief Rafferty and other department personnel. Additionally, he noted that the Select Board takes part in the selection and approval process for newly recruited officers.

Regarding the Karen Read case, Mr. Albert indicated that it has had a significantly adverse impact on himself, his business, and his family. He disclosed that he and his family have faced harassment, both in person at his establishment and via phone calls received by his business. Despite these challenges, he emphasized his affection for the Canton community.

Patrica Boyden

On February 21, 2025, an interview was conducted with Patrica Boyden, a lifelong resident of the town. Ms. Boyden mentioned that she regularly meets with Chief Rafferty to discuss the needs of the police department and the community. She indicated that while the Select Board oversees the police department, the Town Administrator serves as the direct supervisor of Chief Rafferty. Ms. Boyden expressed her support for the police department and mentioned her familiarity with many of the young officers, as they grew up alongside her daughter in Canton.

Ms. Boyden highlighted the police response to the John O’Keefe death on January 29, 2022, suggesting that it could have been handled better. She specifically mentioned that officers should have been equipped with evidence kits to gather evidence at 34 Fairview Road. Additionally, Ms. Boyden felt that a police car should have been stationed at the location until the Massachusetts State Police conducted their search of the yard. Ms. Boyden pointed out that some residents believed the police mishandled the crime scene at 34 Fairview Road. She also emphasized the importance of increased community policing efforts within the department.

c) Compare this oversight to industry standards and best practices.

The Town of Canton Select Board, by Administrative Code, acts as commissioners and has direct oversight of municipal departments and the police department, and direct oversight is delegated to the Town Administrator. The Select Board, which is a five (5)-member board, is responsible for selecting the Police Chief, who reports to the Town Administrator Charles Doody.

- We compared industry standards of the Canton Select Board oversight of the Canton PD with other towns in the state of Massachusetts.
- Other towns similar in size and scope have similar forms of government that provide oversight and direction of police departments.
- The Select Boards serves as the Chief Policy-Making Agency of the town.
- The Town Administrator supervises the day-to-day service areas of the Select Board.

The Select Board, in coordination with the appropriate town officials, is responsible for the budget approval and the formulation and promulgation of policy directives for town agencies.

d) Review official town communications of all major stakeholders regarding the oversight of the Canton Police Department by the Canton Select Board in its role as Police Commissioners.

The Audit Team reviewed multiple communications from Select Board members and major stakeholders regarding oversight of the Canton PD. A Select Board Member has contacted the Chief of Police in a unilateral fashion asking for individual meetings and updates. Of the communications reviewed, the Audit Team found no unilateral communications to the Canton PD command staff by Select Board member Chris Albert.

The Audit Team has witnessed dozens of members of the community, appointed officials and citizens contact Chief Rafferty directly for a variety of reasons. While none of the communications appear to have malicious intent, several unilateral communications by the Select Board members appear to be in violation of **Section IV. Powers, Duties, and Obligations of the Select Board** which states in part:

...The Board shall strive to refrain from involvement in day to day operations of the Town government. Concerns and questions about the operation of a department and/or its employees, and suggestions for improvements should be addressed to the Board via the Town Administrator.



SECTION 11:

Recommendations & Compliance Review

Image source: Boston Herald

SECTION 11: RECOMMENDATIONS AND COMPLIANCE REVIEW

a) Based on the audit findings, recommend necessary improvements to all aspects of the Police Department.

Recommendations have been made throughout this document and will be collected and listed with the summary in *Section 18: Recommendations and Summary*.

b) Ensure compliance with legal requirements and community expectations.

The Canton PD is compliant with Massachusetts State Law, CALEA, and POST standards in terms of policies and directives. During the audit committee interviews in October of 2024, it was noted by the Audit Team that there may be transitional gaps from policy to application, and deviations from policy adherence can occur due to various factors, and that deviation does not necessarily indicate intentional wrongdoing or corruption. The Audit Team has found no evidence of malfeasance in instances where Canton PD policy and its application do not align.

Measuring community expectations against legal requirements may not always be feasible unless both align closely. In the current environment, the Audit Team has observed that community expectations in the Town of Canton can be inconsistent and unrealistic. The Town of Canton should be reassured that the Canton PD is fair, transparent, and responsive by following department policies.

c) The auditor should review all Federal, State, and local laws, regulations, and standards within the policies and procedures of the Canton Police Department and verify adherence to compliance.

The Canton PD is compliant with relevant federal and state laws. The Canton PD has shown consistent adherence to standards set by POST, MPAC, and CALEA. Additionally, the Canton PD successfully passed a recent compliance assessment and certification from MPAC which is valid until June of 2027.

After reviewing policies and procedures, the Audit Team found that the written policies and directives of the Canton PD align with certifying bodies and denote the expected best practices of the profession.



SECTION 12:

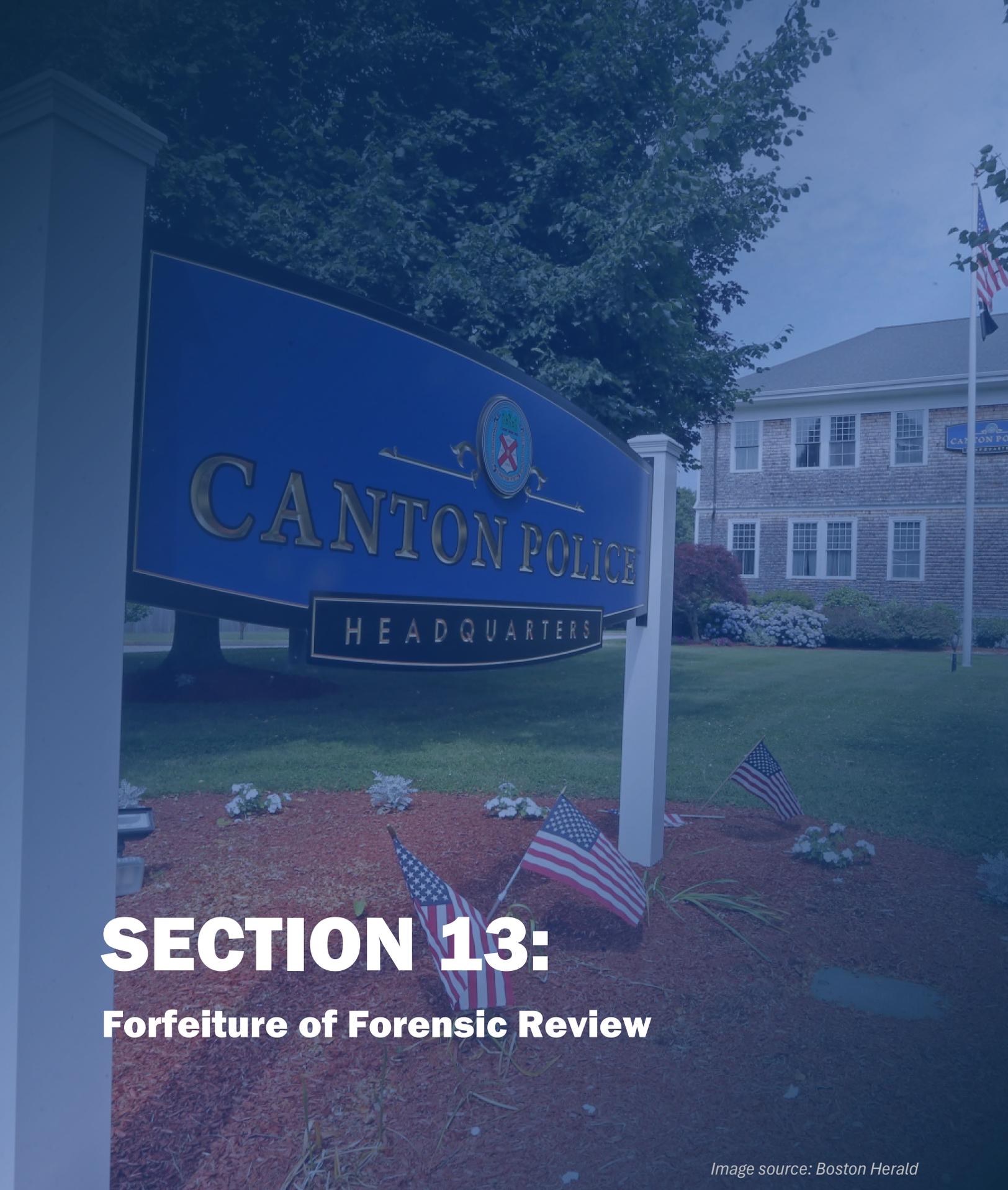
Recommended Improvements

Image source: Boston Herald

SECTION 12: RECOMMENDED IMPROVEMENTS

This section will be reported in the closing section of the document and referenced as *Section 20: Recommended Improvements and Summary*.





SECTION 13:

Forfeiture of Forensic Review

Image source: Boston Herald

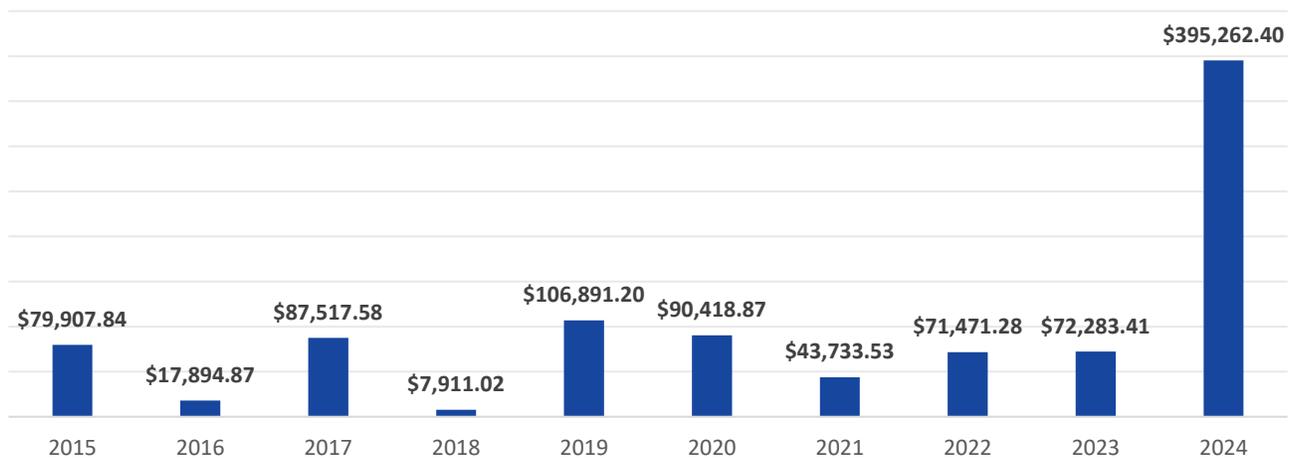
SECTION 13: FORFEITURE FORENSIC REVIEW

a) Review the cash forfeiture balances, deposits, and withdrawals, as well as management, administration, and expenditure procedures going back 25 years (as possible).

The Audit Team completed a forfeiture forensic review of equitable sharing funds received by the Canton Police Department (Canton PD) from the Department of Justice (DOJ) Equitable Sharing Program and Commonwealth of Massachusetts. The objective of the audit was to assess whether the cash and/or property received by the Canton PD through the Equitable Sharing Program was accounted for properly and used for permissible purposes as defined by applicable regulations and guidelines. We reviewed asset sharing and cash deposits from 2006-2024 and found that the department is efficiently tracking deposits, withdrawals, expenditures, and has a positive cash balance.

Equitable sharing revenues represent a share of the proceeds from the forfeiture of assets seized in the course of certain criminal investigations. *[Note: The DOJ asset sharing came from the Drug Enforcement Administration's (DEA) criminal investigations].* From 2015 through 2024 Canton PD received over \$1.8 million dollars from DOJ asset sharing. We found that Canton PD complied with the equitable sharing guidelines.

The Audit Team reviewed asset sharing received from the DOJ Equitable Sharing Program, from Fiscal Years (FY) 2015 through 2024. The amounts below include interest on monies.



Asset sharing received from the DOJ Equitable Sharing Program (2015-2024)

The Audit Team conducted interviews (including Chief Rafferty and the Canton Finance Director who manages the forfeiture accounts), examined financial records, and reviewed forfeiture proceeds and expenditures of equitable sharing funds. We relied on computer generated data (spreadsheets) to identify equitably shared revenues and property purchased or awarded to the Canton PD during the audit period.

As a result of the audit, we concluded the Canton PD appropriately spent and accounted for all equitable sharing funds from both the DOJ and the Commonwealth of Massachusetts. The equitable sharing monies were spent on specific authorized police equipment and justified overtime for officers.

This audit did not identify any purchases of concerns regarding Canton PD’s acquisitions of equipment. We found the Canton PD has procedures for completing and submitting Equitable Sharing Agreement and Certification (ESAC) reports to DOJ, and documentation to the Commonwealth of Massachusetts.

The Canton PD began the audit period with a balance of \$180,591.19. During the period of October 1, 2023, through September 30, 2024, the Canton PD received \$381,156.30 and spent \$375,495.66 in equitable sharing funds, primarily on salaries (overtime). They spent other monies on law enforcement equipment and subscriptions. We found that the funds received and spent were within policy and in the best interest of the Town of Canton.

From 2015-2024, equitable sharing funds were spent on salaries (overtime to meet minimum staffing requirements) and law enforcement equipment such as police vehicles, tactical gear, computers, portable radios, vehicle dashboard cameras, Flock cameras, tasers, video servers, firearms and other law enforcement related necessary equipment. We found that sharing funds were spent on promotional exams for sergeants and lieutenants in 2020, in the amount of \$17,000. We recommend that the Town of Canton pay for the exams, versus using equitable sharing funds.

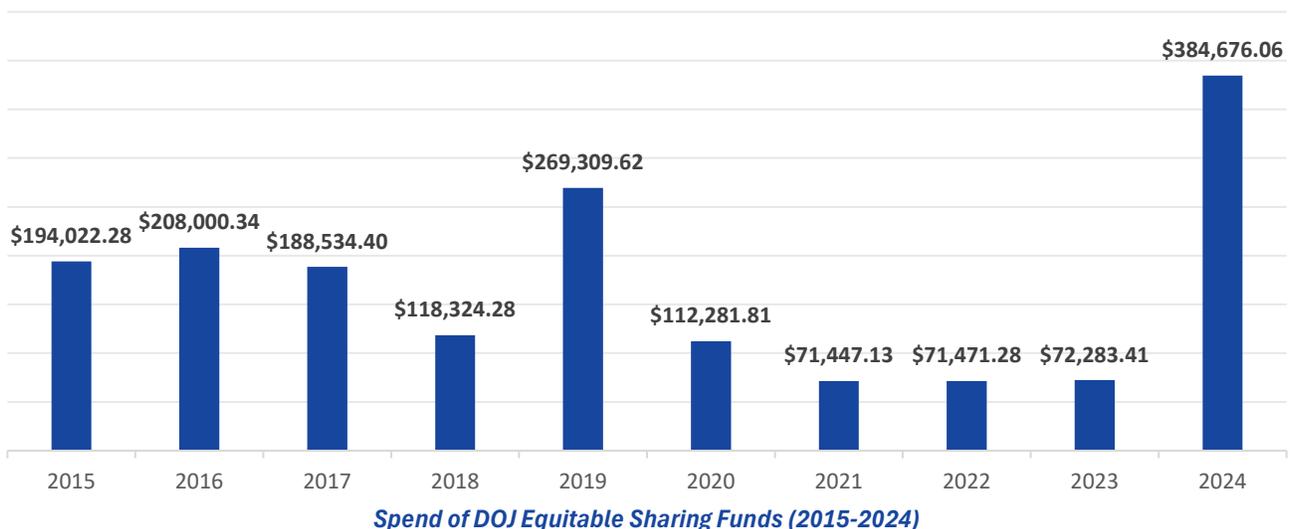
Equitable Sharing Program

The Audit Team identified that the Canton PD conducts yearly audits on all accountable property purchased with equitable sharing funds. We found that the management and administration of the accounts was acceptable, and we did not identify any deficiencies. The Town of Canton Finance Department records all equitable sharing funds and expenses related to expenditures of funds in its accounting system. Chief Rafferty coordinates expenditures of equitable sharing funds with the finance department,



Equitable Sharing Funds Expenditures: FY 2015-2024

According to its accounting records, the Canton PD spent DOJ equitable sharing funds as shown below:



The Audit Team has reviewed 100% of the total funds expended and determined the expenditures of DOJ equitable sharing funds were permissible and supported by adequate documentation.

Audit Approach

The Audit Team reviewed Canton PD's compliance with the Equitable Sharing Program to assess whether it accounted for equitable sharing funds properly and used the sharing funds for permissible purposes.

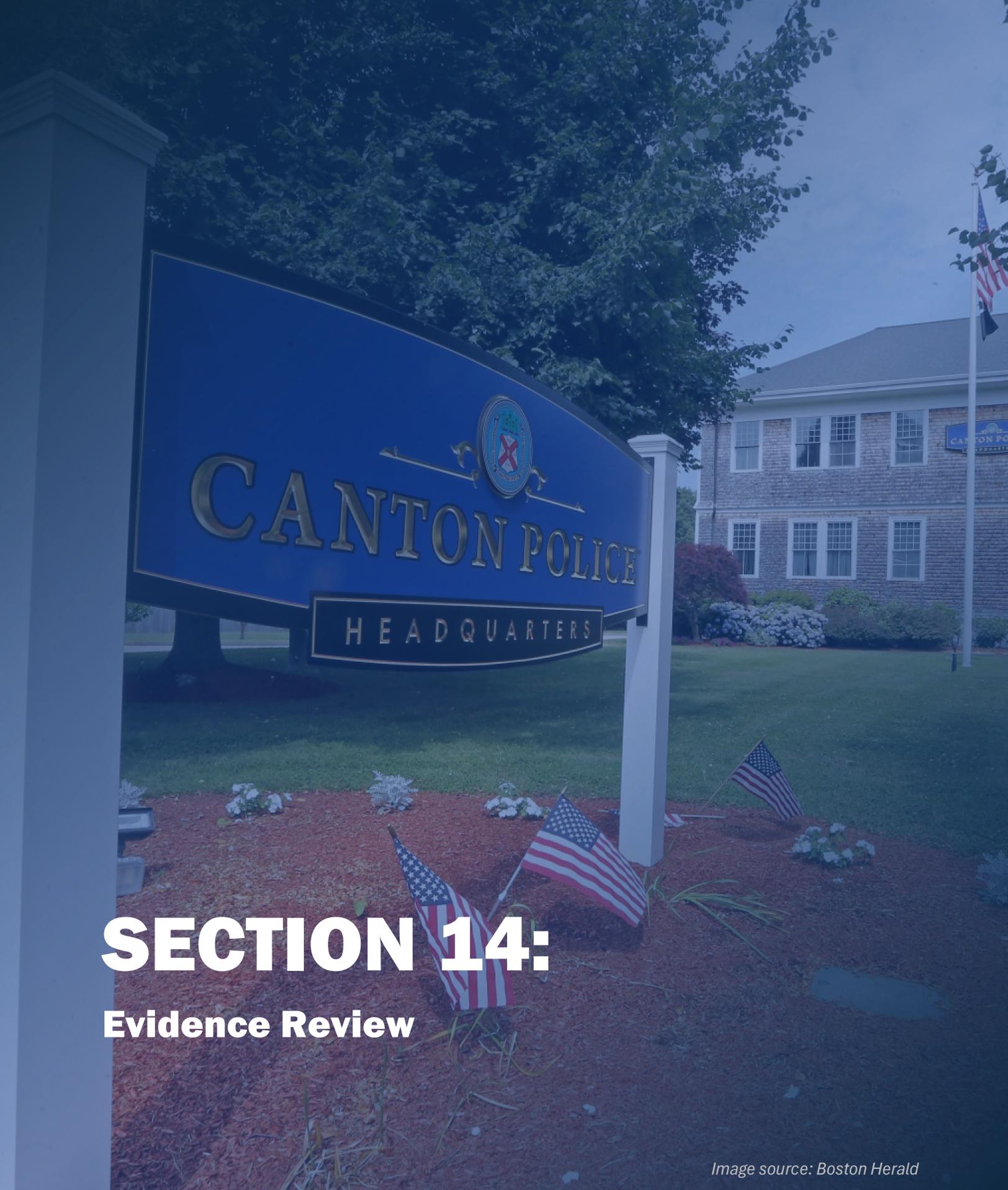
[Note: We applied the Equitable Sharing Guide as our primary criteria.]

The Audit Team reviewed the Equitable Sharing Guide which provides procedures for submitting sharing requests and outlines the proper use of- and accounting for equitable sharing assets. To conduct the audit, the Audit Team reviewed the Canton PD's compliance with the following:

- **Equitable Sharing Agreement and Certification Reports** to determine if these documents were complete and accurate.
- **Finance Department accounting for equitable sharing resources** to determine whether standard accounting procedures were used to track equitable sharing assets.
- **Use of equitable sharing resources** to determine if equitable sharing cash and property were used for permissible law enforcement purposes.
- **Reviewed the Canton PD inventory process** that maintained a manual spreadsheet of inventory, ensured that it was updated when equipment was added, disposed of, or reassigned.

Commonwealth of Massachusetts

The Audit Team reviewed Canton PD's compliance with the Commonwealth of Massachusetts General Laws, Chapter 47 (d) to assess whether the department accounted for equitable sharing funds properly and used the sharing funds for permissible purposes. Pursuant to the laws, proceeds seized were split equally between the Norfolk County District Attorney's Office and Canton PD. The Audit Team met with the First Assistant District Attorney who stated they process criminal seizures for the Town of Canton and review probable cause for the asset seizures. We determined that Canton PD was following policies and procedures. From 2006-2024 Canton PD received \$319,171.70 in asset sharing from state seizures and were found to be in compliance with policies and procedures.



SECTION 14:

Evidence Review

Image source: Boston Herald

SECTION 14: EVIDENCE REVIEW

a) Review evidence room procedures and adherence to procedures.

The Canton PD evidence procedures are sound and in alignment with industry best standards. The department's records management system utilizes a well-known public safety software package known as IMC. This software is one of the prevalent police records management software systems found in Massachusetts. The IMC system has a very functional evidence and property component available. IMC is a police records management software formerly provided by Tri Tech Systems, now called Central Square.

The Canton PD Chain of Custody-Evidence/Property Policy No. 1.16 (11/26/2023) meets Accreditation standards. The Canton PD received its first Certification from the Massachusetts Police Accreditation Commission in 2017, became fully Accredited in 2018, and has been re-accredited twice since.

b) Review whether the department has sufficient evidence collection supplies and items.

The Audit Team conducted a visual and physical inspection of the evidence collection materials which included plastic evidence bags, paper evidence bags, cardboard boxes, sealing materials, access to evidence lockers and access to an electronic logbook. Evidence collection supplies are accessible to all officers and are located in the Temporary Evidence Storage room. Officers can pick up supplies as needed, and the supplies are replenished regularly by the Evidence Custodian who is responsible for the evidence materials and evidence rooms. The Audit Team concluded that the equipment is adequate and conforms with the current MPAC standards.

c) Review whether evidence room policies and procedures meet industry standards.

The Audit Team conducted a physical assessment and noted the evidence storage areas are under strict video monitoring with access controlled by electronic cards. This information is maintained in an electronic log controlled at the Town Administrator. Surveillance footage of evidence access areas can be reviewed, but not altered, by either the primary or alternate evidence custodian. All sworn officers have electronic card access to the temporary evidence holding and processing room, which is under 24-hour video surveillance. All evidence brought into the station after-hours for submission into evidence is logged and deposited into a secure temporary evidence container, pending final processing by the evidence custodian. Once it is secured in the temporary evidence container, the only person(s) that can retrieve it is the Canton PD evidence custodian(s). Access is restricted and detailed entry logs are maintained electronically.

d) Review officer evidence collection training.

The Audit Team reviewed the officer evidence collection training and found that all officers have received basic training in evidence collection. Evidence collection training is an ongoing practice, and officers receive continual training and updates on current laws and practices during their in-service training, which is held bi-annually. The Canton PD is in conformance with the CALEA and MPAC standards of evidence collection training. It is crucial to remember that virtually anything can be, or become evidence, therefore it must be handled, recorded and documented appropriately. The essence of a good and thorough evidence collection program encompasses the ability to answer the following questions:

- What was discovered?
- Who discovered it?
- Where have they discovered it?
- What have they done with it?

e) Review officer access to evidence room and limit/revise per best practices.

The Audit Team conducted a physical and visual inspection of the evidence storage area and interviewed the Evidence Custodian. The evidence storage area is divided into two (2) rooms with the first one is accessible to all officers and can be accessed twenty-four (24) hours per day, seven (7) days per week. This first room is where the temporary storage lockers are located as well as a section of available evidence collection materials, two (2) sets of overflow storage lockers and an additional wall of small evidence lockers. After the evidence is locked into a container, the key is secured in the same locker and can only be accessed again by the Evidence Custodian, who is equipped with a master key. No officer can access, manipulate, destroy, add or alter evidence once it is placed into a temporary locked evidence container. The second room is where all the evidence is stored and classified by year and is only accessible to the Evidence Custodian. This system and the electronic safeguards in place make it virtually impossible for evidence tampering or altering to take place once evidence has entered the evidence storage areas.

Accessibility limits to the Evidence Rooms is in conformance with current CALEA and MPAC standards.

f) Assess adherence to/implementation of recommendations from past evidence audits.

A review of prior audits and recommendations show that the Canton PD has implemented all recommendations not requiring major building renovations or significant budget enhancements. Those recommendations that require building modifications have either been completed or they are at the town level pending approval and funding for completion. The Canton PD is compliant with all previous recommendations.

g) Conduct a year-over-year inventory of the evidence room content, including firearms, cash, and drugs.

The Audit Team conducted a visual inspection of the Temporary Storage of Evidence and the Evidence Vault, which is assigned to the Canton PD Primary Evidence Custodian, for oversight and maintenance. There are approximately 16,000 items of evidentiary value stored in the Evidence Vault at Canton PD. A complete inventory and detailed audit was performed by an independent audit team from Pomeroy Resources Inc. in October 2024—six (6) weeks prior to the arrival of the 5Si Audit Team. The Audit Team on multiple occasions, one of which was unannounced, and conducted inventory checks of random items including firearms and drugs, finding no inventory discrepancies.

The Audit Team found that the firearms are properly stored in the evidence room. Firearms are only sent for Ballistics Testing on a case-by-case basis, and their disposal is backlogged. Ballistics Testing and Disposal is handled by a non-government contracting company named New England Ballistics, which performs this service at no charge to the Canton PD.

The audit concluded that the evidence, and the records relating thereto, are being maintained in

full compliance with the procedures outlined in the directives of the Canton PD, proper accountability procedures are being maintained, evidence is properly stored and protected from damage and deterioration, and the Evidence Rooms are being maintained in a clean and orderly condition.

h) Review chain of custody laws, including completeness and accuracy.

The Audit Team, in addition to reviewing policy, reviewed the collection and processing measures for documenting the chain of custody of evidence. The Canton PD is in full compliance, however, the Audit Team did make recommendations regarding the documentation of evidence.

i) Review the collection, editing, and preservation of videos used for evidence.

The Audit Team examined the Canton PD's video preservation methods and procedures. Video preservation is carried out on a dedicated desktop computer stationed near the evidence room. All videos are downloaded using this computer, which can be used for viewing and redacting purposes, but not for making alterations (except for limited editing like redactions for public release). The videos can be accessed by officers using the same computer station.

The Canton PD's practices for collecting, reviewing, editing, and preserving videos for evidence align with the MPAC standards.

j) Review firearm chain of custody in evidence.

Firearms seized by the Canton PD have strict handling procedures that must be followed due to the potential danger they pose as evidence. All firearms acquired by the Canton PD are handled with the utmost safety precautions. Seized guns are taken directly to Police Headquarters and never left unattended in a vehicle. Before determining if a firearm is loaded (visually and manually clearing the weapon), the Canton PD officer must assess if forensic examination is required, and if so, the weapon will not be unloaded. Guns seized by the Canton PD not needing further examination will have their ammunition checked in a secure area and stored with the action open. Any removed ammunition must be bagged separately and submitted with the firearm as evidence. Prior to submitting to the Evidence Officer, all seized firearms must be checked through the CJIS/NCIC database, with a copy of the results attached to the Canton PD officer's report. Each firearm will be placed in a dedicated firearms evidence box and stored in a locker in the Temporary Evidence area until transferred to the designated shelf in the Permanent Evidence Room for firearms storage.

These summarized practices are being done and are in alignment with previous audit recommendations as well as CALEA Standards.

k) Review evidence tracking software usage.

The Canton PD evidence procedures are in alignment with industry best standards. The software management system utilizes a well-known public safety software package known as IMC. This particular software is one of the prevalent police records management software systems found in Massachusetts. The IMC system has a very functional evidence and property component available. IMC is a police records management software formerly provided by Tri Tech Systems, now called Central Square.

RECOMMENDATIONS

The Audit Team recommends assigning part-time personnel, preferably a retired sworn officer, who would provide periodic assistance in properly disposing of evidence that is no longer needed. These part-time officers can better coordinate with the police prosecutors for those cases that have been adjudicated with their final action documented, and with the approval of the prosecutors' office, and dispose of evidence no longer required.

A Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent is housed within the Canton PD station on the second floor. The Audit Team recommends obtaining Ballistic Testing by ATF on all firearms and running a trace for ownership and NCIC check.

Documentation regarding the chain of custody on evidence could be improved on standard report writing. The Audit Team recommends that every report contain an "Evidence Section" and in that section any evidence that is acquired is detailed in description, discovery, by who, and what they did with the item until its submission into the Canton PD evidence vault.



SECTION 15:

Police Detail Financial Review

Image source: Boston Herald

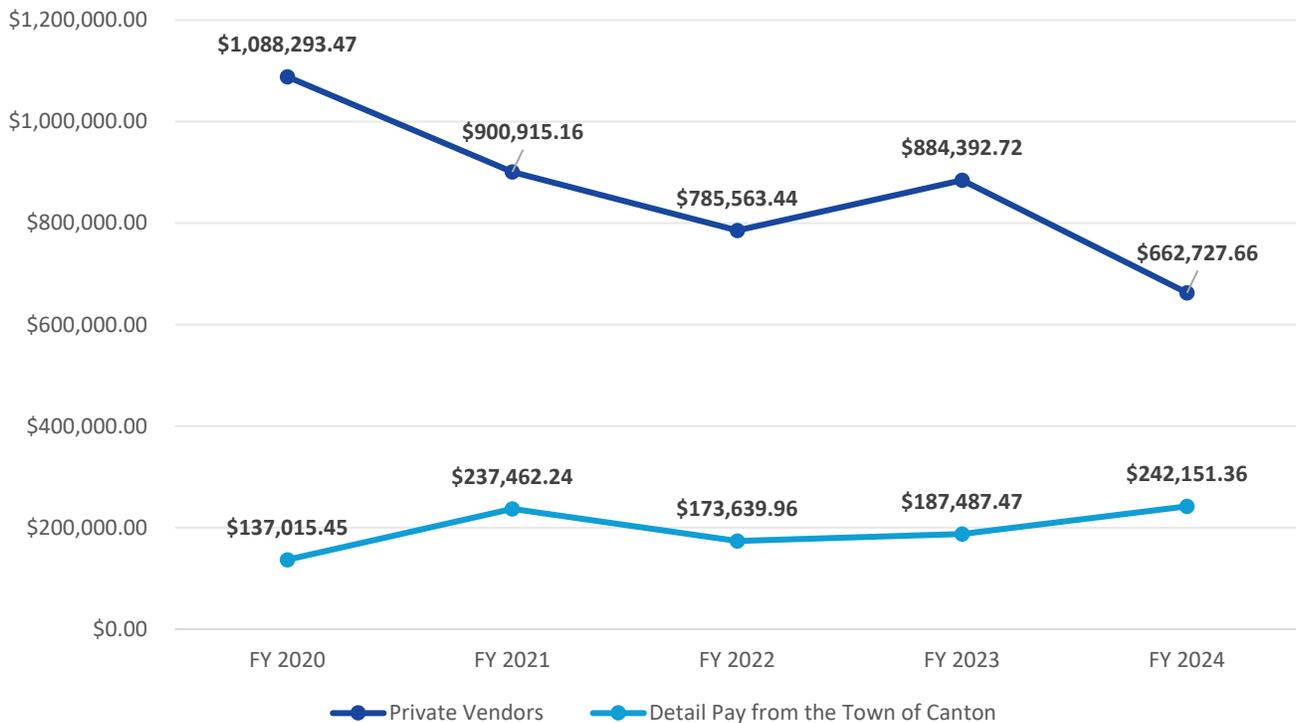
SECTION 15: POLICE DETAIL FINANCIAL REVIEW

Police Details

Canton PD has strict internal controls and operates at a satisfactory level in all areas documenting, monitoring, and supervising police details. The Chief of Police maintains appropriate controls of police detail oversight and has appropriate internal controls to monitor details worked by full-time and part-time officers. The Canton PD Administrative Assistant maintains time and attendance records, monitors detail payroll functions, accounts payable and received.

Detail costs are reimbursed in full by the Town of Canton, or by third parties, such as National Grid, Eversource, Bay State Gas, Verizon, MA Department of Transportation, and other third-party vendors who obtain police services. The Canton Department of Public Works (DPW), School Department and other departments hire officers for details. The Town of Canton is obligated to pay officer overtime based on rank. For example, if a sergeant works a police detail for the DPW, they will be paid at a rate of time and a half of their hourly rate of pay. Third party vendors are billed directly from Canton PD, who receives payments (reimbursement) for transfer of the funds to the Town of Canton Treasurer/Collector's office.

Canton PD maintains a detailed log to ensure the police details are distributed fairly amongst all the officers, and most importantly, all requests are filled. *[Note: Private Vendor Details are paid at a set overtime rate of \$67.86 per hour. The Town of Canton charges an administrative fee of \$6.10 per hour above the \$67.86 rate of pay. Weekend, Holiday, and Night detail rates are billed at \$77.02 per hour.]* The chart below reflects overtime (detail) costs at the department from FY 2020-2024:



2020 – 2024 Overtime (detail) Costs at the Canton Police Department

- Part-time officers are authorized to work police details and are paid an hourly rate of \$67.86 per hour.
- A total of \$4,321,892.45 was received from third party vendors for police details from 2020-2024. The Town of Canton reimbursed the Canton PD a total of \$987,756.88 for police details from 2020-2024.
- Total for detail overtime from 2020-2024: **\$5,309,649.33.**

a) The administrative audit shall review the police details fund and the reason for the uncollectable allowance of \$91,074 as described by the Town FY23 Annual Comprehensive Financial Report performed by Roselli and Clark.

We reviewed a breakdown of customer (private vendor) uncollected payments outstanding to the department. The dates of uncollected payments range from 2019-2024. Most of the uncollected payments are from small businesses that hired officers for private details.

Administrative Assistant and the Chief of Police reported uncollected funds are still actively being pursued for collection. Chief Rafferty reported that larger vendors that conduct business with the department sometimes delay payments until the end of the month. *[Note: Some of the vendors (companies) pay invoices on a net thirty (30)-day payment cycle.]*

The department collection rate is just under 99% for the monies outstanding. Since the inception of the audit, reimbursements continue to come in and the outstanding balances are being collected.

Further, neither the Police Department nor its senior officials should not be accepting monies on behalf of the town.

b) The onboarding process for customers that use police details should be reviewed, and recommendations should be provided on how to streamline and improve the process.

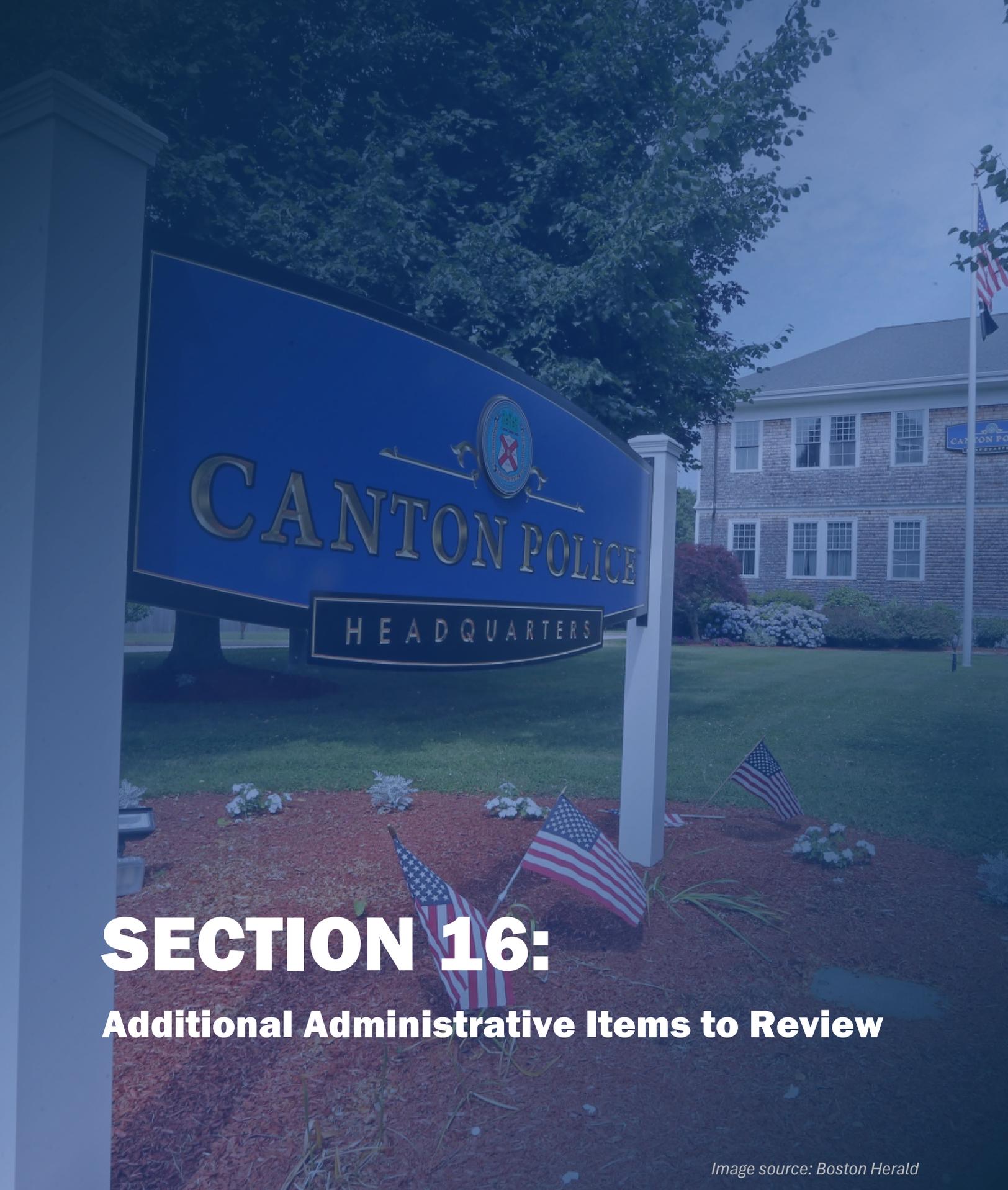
We reviewed procedures for onboarding new customers and existing customers. Normally, Canton PD will take a request from a vendor and input the information, date, time, number of officers, contact information and vendor company, which are placed into a scheduling system (Crew Sense). The Chief of Police and Administrative Assistant reviews the request for police details services, ensures vendors and/or businesses have approved town permits before approvals. We found that the Administrative Assistant has implemented a new process of sending invoices weekly to vendors to expedite payments. The Canton PD is a service provider for the Town of Canton. Once the service is provided and the bill is issued it should be incumbent upon the Finance Director and the billing department for the town to collect monies owed.

RECOMMENDATIONS

The Canton PD should continue to accept, schedule and provide services to those businesses and customers requesting police details. Once the detail service has been provided, the Canton PD will create and send the vendor/customer an invoice, copying the Town of Canton (Finance Director or their designee) with instructions for the vendor to submit payment to the Town of Canton.

The responsibility to ensure invoice payments should fall to the Town of Canton, Finance Director. Under no circumstances should the Canton PD be accepting cash/checks or payments.

Communication between the Canton PD Administrative Assistant and the Town of Canton Office of Finance is crucial, as the Office of Finance should advise the Canton PD if there are outstanding collections to be made prior to accepting detail requests from certain businesses.



SECTION 16:

Additional Administrative Items to Review

Image source: Boston Herald

SECTION 16: ADDITIONAL ADMINISTRATIVE ITEMS TO REVIEW

a) Review all cash fund accounts maintenance and general ledgers.

Canton PD Administrative Assistant oversees police detail accounts, ledgers, and payroll submissions. No inaccuracies were identified. All accounts were accurate and standard accounting practices were used. We found the town finance department is responsible for overall account reconciliation for the department and general ledgers, cash fund accounts and maintenance.

b) Review communications and scheduling between Canton Municipal departments and the Canton Police Department regarding police details.

The Canton PD Administrative Assistant is responsible for scheduling and communicating with municipal departments and private vendors that request police details. On occasion, department heads will communicate directly with Chief Rafferty and request police details. Most communications sent from municipal departments to Canton PD requesting police details are phone calls to the police dispatch center. We determined the scheduling systems are in place to service the town in an effective manner. In the event the Canton PD is requested and unable to fulfill the request for detail, the request will be forwarded and filled by a neighboring town police officer.

c) Review grant applications submitted and the number of grants received. Review grant opportunities available to the department to make sure the department has maximized all available Federal and State grants.

The Audit Team conducted a thorough review of grant applications and found that the department has been successful in capturing grants to enhance police services and the police budget. Deputy Chief Patricia Sherrill, for instance, secured a grant from the Commonwealth of Massachusetts Department of Health to hire a Mental Health Professional. In 2022, the Department received \$118,000 to support a full-time mental health clinician who collaborates with officers in responding to calls related to mental health issues involving citizens. This grant has been successfully renewed in the past three (3) years.

The Select Board approved multiple grant applications submitted by the Canton PD, resulting in funding allocations of \$100,000 for body-worn cameras, \$121,759 for personal line items of patrol officers and sergeants, \$89,336 for a training grant providing sixteen (16) hours of legal updates for employees, and \$27,529 for a road safety grant for officers to conduct traffic enforcement. Deputy Chief Sherill consistently looks for grant opportunities that fill applicable needs for the Canton PD.

d) Review the process and quality of performance reviews of senior officers, including the Chief of Police.

The Select Board does not currently carry out written performance evaluations for senior leaders or the Chief of Police. However, as per the contract, the Select Board holds the power to assess the performance of senior leaders and the chief of police. Currently, there are no established formal mechanisms in place for individual accountability, such as mid-year assessments or final performance reviews, aimed at enhancing future performances. Enhancing the process could involve implementing a results-focused

written performance appraisal system that documents achievements and areas requiring enhancement. Introducing a structured evaluation form covering areas like leadership, program management, best practices, and coalition building could help streamline the appraisal process.

e) Review process of responding to burglar alarms throughout the town.

The Canton PD has established protocols for promptly and securely addressing calls. Documentation of their discoveries and communication with dispatch are recorded in the activity log. Equally, the department does not discriminate in responding to burglar/house alarms for designated town authorities.

An examination of dispatch records for burglar alarms revealed a lapse in Canton PD dispatching a patrol car in response to a burglar/house alarm in May 2024. Chief Rafferty was promptly alerted to this issue and took corrective action through the disciplinary process.

f) Review the use of personal cell phones and the practice of “self-dispatching.”

Throughout this report, the Audit Team strongly recommends that Canton PD officers refrain from using their personal cell phones for work-related purposes. Instead, the Audit Team suggests that the Town of Canton provide all Canton PD officers with departmental phones as previously advised.

The term "self-dispatching" has been prominently featured in public statements by the Karen Read trial team and has been circulating on social media insinuating some wrongdoing within the Canton PD. While off-duty police officers in Massachusetts are not obligated to respond to crimes, it would be disheartening to think that an off-duty officer would choose to ignore a person in need. Massachusetts Police Accreditation Standards delineate an officer's authority and protections from liability off-duty.

The Audit Team did not discover any instances of Canton PD officers inappropriately “self-dispatching” or involving themselves in public encounters. All assistance provided by off-duty Canton PD officers was deemed appropriate by Canton PD leadership and members of the community.

Massachusetts General Law Chapter 258 outlines the rules and restrictions concerning civil liability protection for police officers. Specifically, officers are granted liability protection for their on and off-duty actions, unless the officer knows or should have known, their actions were in violation of the law or department policies.

While off duty and within the jurisdiction of their municipality, an officer may conduct an arrest only under the following circumstances:

- There is an immediate need to prevent a crime, or apprehend a suspect,
- The offense warrants a full custodial arrest, and
- The officer can provide police identification during the arrest.

RECOMMENDATIONS

None.



SECTION 17:

Civil Rights Review

Image source: Boston Herald

SECTION 17: CIVIL RIGHTS REVIEW

a) Review civil rights complaints and intake process to ensure compliance with all state and federal mandates.

The Audit Team determined that the Canton PD is committed to accepting and investigating civil rights complaints about any actions and performance of personnel. Chief Rafferty said her team is committed to providing the highest level of quality police service to all citizens. Our team did not identify any instances of civil rights complaints made against any officers. We checked with both state and federal authorities and determined that no civil rights complaints were made against members of Canton PD.

Whether an allegation or complaint appears to be valid or baseless, each complaint should be objectively evaluated, and the investigation should be well documented should a question arise at a later date. All information obtained during the investigation of a personnel complaint is considered confidential. Therefore, it is imperative that all documents pertaining to personnel complaints be properly secured to protect all parties involved (*See Section 3: Professional Standards and Accountability*).

b) Review the involvement of uniformed officers and the use of municipal resources in any town political process, including meetings, petitions, and elections.

We examined all complaints lodged by residents, as well as the procedures for receiving and monitoring them, to verify that the Canton PD adhered to all applicable protocols, as well as state and federal laws. Our team investigated the engagement of uniformed officers to ascertain whether they made use of town resources in any capacity related to local politics, elections, or public meetings beyond their official responsibilities. Additionally, we reached out to the Town of Canton Attorney to identify any legal actions taken against Canton PD personnel. We have no information that would indicate any involvement with a member of the Canton PD as it relates to town meetings, petitions, and elections, or in using municipal resources in anything other than an official capacity.

c) Review the department’s compliance with Title IV and DOJ laws and regulations.

This law (Title VI of the Civil Rights Act of 1964) prohibits discrimination based on race, color, sex, or national origin for organizations receiving federal funding. The Canton PD policy aligns with, and practices in accordance with this legislation. The Department of Justice (DOJ) is responsible for enforcing Title IV and has the power to step in if a law enforcement agency is found to be systemically violating individuals' rights. Massachusetts has established guidelines detailing the processes for investigating and resolving complaints against law enforcement officers. The Canton PD has addressed gaps in policy application in Section 3 on Professional Standards and Accountability, and Section 8 on the Citizens Complaint Process. There have been no Civil Rights investigations involving the Canton PD in the last decade to knowledge of the Audit Team.

There was a Federal Grand Jury convened in the District of Massachusetts that concluded without findings or indictments.

RECOMMENDATIONS

It would be beneficial for Canton Town Leaders to acknowledge to the public that:

- Settlements made by insurance companies do not entail an admission of guilt, but rather are typically based on financial considerations.
- Insurance companies have no ability to negotiate or place promotional limitations on an officer's career as a part of a settlement.



SECTION 18:

Liaison Interviews

Image source: Boston Herald

SECTION 18: LIAISON INTERVIEWS

Ms. Kendall O'Halloran, Chair of the Canton School Committee

On December 3, 2024, **Kendall O'Halloran**, Chair of the Canton School Committee, was interviewed. Ms. O'Halloran said the school committee has a strong partnership with Chief Rafferty and members of the Canton PD. She stated that Chief Rafferty cares about the community and is always available when called upon by the committee, and school superintendent.

Ms. O'Halloran has lived in the Town of Canton for seventeen (17) years, is on the Canton Community Preservation Committee, and has had positive experiences with Canton PD officers. Ms. O'Halloran described Chief Rafferty as very responsive to the committee's needs and a good leader for the community. Ms. O'Halloran said she personally witnessed Chief Rafferty deescalate a situation when unauthorized political activities were occurring on school property.

Derek Folan, Superintendent of the Town of Canton Public Schools

On December 3, 2024, **Derek Folan**, Superintendent of the Town of Canton Public Schools, was interviewed. He stated that he had an exceptional working relationship with Chief Helena Rafferty and School Resource Officers. Superintendent Folan praised Chief Rafferty for her dedication and leadership to the Town of Canton. He described Chief Rafferty as an exceptional leader for the Canton Alliance for Substance Abuse Committee and Cops for Cancer. Superintendent Folan said the success of the Town of Canton School System is directly related to the open communication and "trust built with Chief Rafferty" and the Canton PD. He praised the work of three (3) Canton PD School Resource Officers who are assigned to the Canton High School, Middle School, and Elementary Schools.

Superintendent Folan said officers who worked at athletics events and town meetings were always professional and highlighted the outstanding work officers who assist at these events.

He noted that parents of athletes have been harassed by a "blogger" at various school sporting events, which further necessitated guidance and assistance from Chief Rafferty, which she immediately provided.

Greg Connors, Assistant District Attorney, Norfolk District Attorney's Office

On December 5, 2024, **Greg Connors**, Assistant District Attorney (ADA), was interviewed and said he has a positive working relationship with members of the Canton PD. He highlighted numerous investigations where detectives had successfully arrested violators for serious crimes that had occurred in the Town of Canton. He stated the Norfolk District Attorney's (DA) office services forty-seven (47) police departments in Norfolk County, MA. Mr. Connors considered Canton PD to be in the top one third (1/3) out of the five (5) surrounding police departments in terms of the quality of their work and the caliber of officers that he deals with.

ADA Connors commended Canton PD officers, both retired and current, for their work, indicating a strong collaborative relationship between his office and the Canton PD. The accessibility of a duty phone at the DA's office streamlined the process of case submissions, allowing officers to seek advice or report cases at any time.

Emphasizing the importance of the Body Worn Camera (BWC) program for officer safety, ADA Connors advocated for its continued use within the Canton PD based on his positive experiences. However, he noted a deficiency in the utilization of License Plate Readers (LPRs) within the Town of Canton, resulting in a specific robbery case remaining uncharged. ADA Connors praised the Canton PD detectives for their successful apprehension of a shooter in a recent case and commended the exemplary work of the Juvenile Probation officer.

Charles Doody, Town of Canton, Town Administrator

The Audit Team interviewed Town of Canton, Town Administrator **Charles Doody**. Administrator Doody has held the position of Town Administrator since October 2022 after serving the Town of Canton as a fireman for 28 years. Administrator Doody ascended to the position of Chief of the Fire Department in 2008. He is a lifelong Canton native and graduated from Canton High School. Administrator Doody has known the Chief Rafferty and her executive staff for his entire professional career. He maintains a positive working relationship with the Canton PD and command staff and has confidence in their abilities. Administrator Doody stated the Canton PD is professional and responsive. They are open to collaboration and receptive to request from his office or his representative to accommodate the Town of Canton at public events.

RECOMMENDATIONS

In relation to the investigative reports authored by Canton PD members and the interview with ADA Connors, The Audit Team noted potential deficiencies in the reporting process. These included inconsistencies and gaps in information. The Audit Team conferred with ADA Connors to ensure some of the recommendations being made by the Audit Team would align with the objectives of the District Attorney's office. ADA Connors agreed with the below recommendations.

- **Officer Identification:** The Canton PD reports should prominently feature the names of all officers involved in the incidents, as well as the names of judges, prosecutors and defense attorneys related to the case.
- **Simplify Reporting:** The Canton PD should consolidate multiple brief reports into a single, detailed and concise/comprehensive report. This approach would help prevent contradictory statements and inaccuracies.
- **Use of Audio Recording Devices:** Canton PD Officers and detectives should utilize audio recording devices during witness and suspect interviews, with consent whenever possible. This would ensure accurate documentation of interactions.
- **Department Issued Mobile Phones:** Each member of Canton PD should be equipped with a department-issued mobile phone for official use. This would facilitate effective communication of work-related information and allow for the capture of photographs at crime scenes.

Additionally, ADA Connors raised safety concerns about ATF operations. He noted that some operations orchestrated by agents seemed to target arrests in the Town of Canton, raising concerns about the safety of such initiatives.

ADA Connors supported the implementation of the Body Worn Camera (BWC) program, advocating for its utilization by the Canton PD. Drawing from his own positive encounters, he highlighted the benefits of the BWC program, particularly in enhancing officer safety.

Concerning the involvement of informants in State cases, ADA Connors stated that in the State of Massachusetts, informants lacked legal protections. Their role was confined to providing "initial tips," and they were managed accordingly. Expressing reservations, ADA Connors discouraged the reliance on informants in proactive undercover police operations to mitigate potential risks of exposure.



SECTION 19:

Security

SECTION 19: SECURITY

The Audit Team conducted an on-site security assessment of the Canton PD.

- The department has access for the public to enter the department in the lobby area where the public can obtain reports, file reports and/or conduct other business. This area is not secured. Furthermore, after a detailed physical assessment of the building there are numerous vulnerabilities inside the building that threaten the safety of the officers and ultimately the public. The Audit Team will not list the vulnerabilities in this document but will provide an oral briefing to elected officials in the Town of Canton upon request.
- Scan card access to other areas of the department is limited to sworn officers and other employees, however several doors lack key card locks.
- The department has video cameras located on all floors, hallway areas, and cameras positioned in other areas of the department, including the sallyport area (garage), cellblock area, property rooms, evidence and radio communication space. The video system does not clearly record the activity on Washington street at the end of the Drive, nor does it provide coverage around the perimeter of the building.
- We reviewed the IT systems to ensure that cameras are adequately preserving the potential evidence in the event it is needed for court purposes. The current set-up is on a motion detection system and can preserve recordings for approximately 800 days depending on the amount of activity.
- The exterior of the building and the rear parking lot is open to the public. Police cruisers are accessible from a tree line and there is no barrier fence around the parking lot. Cruisers, their content, and the officers are vulnerable from this area. The only protection offered at the rear of the department is a sign stating authorized personnel only.



Access from the tree line in the rear of the PD. Rear of the department is Completely exposed.

RECOMMENDATIONS

The following are in alignment with industry best standards and practices:

- The rear parking area where police vehicles and personal vehicles are parked needs to be secured with security fencing with privacy slats. Police cruisers which contain law enforcement equipment and firearms should be parked within secure spaces.
- Install an electronic rolling and retracting gate and an eight (8)-foot chain link fence, with privacy slats and intercom for security prior to the sally port entrance. This protects the public and provides much needed security for the police department.
- The entrance to the department and the front of the building facing Washington street needs safety bollards, which provide a barrier to vehicles from damaging or ramming the doorway and building.
- Contact the Office of the Secretary of Public Safety and Security for potential funding sources to enhance the security posture of the headquarters facility and surrounding property. This office provides grants under the **8000-0313** Local Public Safety Projects and Grants Earmarks.



SECTION 20:

Recommended Improvements & Summary

SECTION 20: RECOMMENDED IMPROVEMENTS AND SUMMARY

a) Based on the findings, propose specific enhancements and e) Provide a complete report of compliance issues and how they can be improved and enforced to industry standards.

I. Section 1, part (b): Interrogating Suspects / Interviewing Witnesses or Victims

Uniform approach to documentation:

- Implement standardized templates.

Ongoing evaluation and improvement:

- Evaluate interview effectiveness and remediate shortcomings.
- Commanding officer review.
- The Officer in Charge (OIC) of the Investigations Unit reviews reports deemed inadmissible in court, or where prosecution declined.

Separation of suspects during questioning:

- Suspects should be mirandized and separated from each other prior to- and during interviews.

Training and policy amendments:

- Where deficiencies are identified, implement amendments to policy and corrective training.

II. Section 1, part (c): Evidence and Evidence collection and processing

Officers should be equipped with essential equipment readily available in their vehicles:

- All sergeant vehicles should be equipped with digital cameras for photographing and memorializing crime scenes.
- All Canton PD marked units should have crime scene preservation kits and evidence collection kits.
- All sergeant's vehicles and detective vehicles should have full crime scene kits including evidence bags and sealing equipment.

Photographs of evidence should be documented and recorded as evidence:

- Evidence should be photographed at the time of seizure.
- Evidence photographs should be entered into evidence as their own exhibit.

Unscheduled audits of the evidence room:

- Canton PD should conduct "unannounced audits."

Additional crime scene processing training:

- Patrolmen and detectives should attend "Crime Scene Preservation Class."

III. Section 1, part (d): Testifying

Training on testimony clarity:

- Officers should be trained to respond to questions professionally and accurately.

Handling disagreements professionally:

- Officers should learn strategies to maintain composure and professionalism despite challenging questions.

Identifying assumed truths:

- Training should include techniques for identifying and addressing assumed truths within questions.

Exposure to high-profile cases:

- Mock trials or role-playing exercises simulate the pressures of such trials and practice skill development.

Continuous skill development:

- Regular workshops and refresher courses focusing on best practices in courtroom testimony.
- Explore no-cost training opportunities with the prosecutor's office.

IV. Section 1, part (e): Mental Health Policy

Funding for a Mental Health Professional:

- Budget allocations should be considered by the Town of Canton leadership in conjunction with town officials at various levels to secure funding for this position should the grant be no longer available.

V. Section 1, part (f): Juveniles

Annual training on appropriately handling juvenile offenders:

- Institute an annual training to be attended by all sworn personnel concerning the handling of juvenile offenders.
- Require written certification from officers that they have read and understand the corresponding policies related to handling of juveniles.

VI. Section 1, part (g): Community Relations Policy

Joint review of community relations policy with the Canton Town Selectman:

- Policy adaptations should be conducted as a joint effort by the Canton PD administration and Town Selectman.

VII. Section 1, part (k): Radio and Personal Cell Phone Use

Funds for department issued cellphones:

- Issue department-owned cell phones to all sworn officers.
- As a second option, purchase department phones for patrol officers to sign out at the beginning of each shift, or issue individual phones to the respective patrol cars.

Policy requiring department communications only be conducted on department cell phones:

- Prohibit the use of personal cell phones to conduct police business.

Address inadequate radio communications:

- Ensure that radio communications are available and reliable in all areas of the Town of Canton.

- Canton PD should work with the Information Technology Specialist and Town Select Board members to identify funding needs for updated equipment, or an otherwise appropriate resolution.

VIII. Section 1, part (l): CEO Notification Policy

Notification to the Chief AND Deputy Chiefs:

- The Deputy Chiefs AND Chief should be immediately notified of all significant events as detailed in the CEO Notification Policy, including those events that allow for delayed notification.

IX. Section 1, part (m): Communications Standards of Conduct Policy

Review and reinforce policies:

- Implement continuing education or policy acknowledgment requirement regarding communication policies.

Incident analysis:

- The specific breakdown in communication should be analyzed to understand why the officer failed to act according to policy and to improve training and protocols accordingly.

Strengthen accountability measures:

- Ensure that there are clear consequences for not following policy to reinforce the seriousness of compliance.

Monitor Effectiveness of Reforms:

- Post-incident evaluations should be conducted to assess the effectiveness of any implemented changes.

Enhance support systems:

- Consider additional support or backup systems to prevent single points of failure in communications.

X. Section 1, part (o): Dispatch Functions

Establish a long-term data retention plan:

- Plan for the upcoming expiration of the free recording service agreement and plan for the retention of these recordings in the future.

Assign civilian dispatchers to work dispatch shifts with officers:

- A civilian dispatcher can handle the majority of the calls while retaining the institutional knowledge of the sworn officer.

XI. Section 1, part (p): Field Reporting Policy

Employ standardized report writing protocols:

- Standardize report writing requirements.
- Develop a required format with minimum standards and expectations.
- Fields that are not applicable can be marked as such. Documenting any lack of action by marking “none” or “N/A.”

XII. Section 1, part (r): Social Media Policy

Develop and conduct social media use training:

- Conduct regular training sessions for officers involved in social media management, reviewing security protocols for social media accounts.

Institute a social media manager:

- For the Patrol and Detectives Divisions as well as a Senior Lieutenant.

Resume social media posts:

- Resume posting to social media outlets as it relates to immediate community concerns, such as accidents, construction closings and police activities.
- Ensure consistent and timely communications across all platforms to effectively engage with the community.
- Post the same messages across all social media platforms, especially Safety and Missing Person Alerts.
- Leave comments off.

XIII. Section 1, part (t): Alternatives to Arrest

Arrest alternatives should be based on written policy or legal protocols:

- Default actions should be based on laws and departmental policies.

XIV. Section 1, part (u): Field Training Program

Expand the FTEP program:

- The FTEP program should be expanded to 8 weeks to create opportunity for additional exposure to the various types of calls and responses necessary as a police officer.

XV. Section 1, part (w): Body-Worn Cameras

Body-worn camera training:

- The official overseeing the BWC program should coordinate with the sergeant in charge of training to conduct training.
- BWC videos that capture positive and negative actions are a great training tool for the Canton PD.

XVI. Section 1, part (x): LPR's / Flock Cameras

- Purchase additional cameras.

XVII. Section 1, part (z): Informants

Updated procedures for meeting with informants:

- Require a minimum of two (2) officers to be present when meeting with an established or potential informant.
- The informant should be searched for contraband and weapons prior to every meeting.

- Conduct thorough background checks to include a full criminal history, photos and fingerprints when establishing an informant.
- Canton PD sergeants should provide a summary of the informant's reliability and their planned usage to the Lieutenant over Investigations.
- Canton PD detective should author an initial activation report to be approved by a lieutenant or higher-ranking Canton PD official.
- CDP Lieutenant of Investigations, or higher-ranking Canton PD official, should conduct periodic assessments (180 days) to validate continued establishment and use of an informant.
- All usage, debriefings and information obtained from, or through the use, of an informant should be documented and copies of those reports should be maintained in the informant file as well as the respective case file.
- All informants should be debriefed every ninety (90) days at minimum. This quarterly debriefing should be maintained in the informant file.

XVIII. Section 1, part (bb): Sexual Assaults

Crime scene response training emphasizing first responder protocols:

- Canton PD officers should undergo training in proper procedures upon immediate response to the scene, especially considering the significance of the "First Complaint" in sexual assault cases.

XIX. Section 1, part (cc): Dead Bodies Policy

Crime scene training including scenarios and tabletop exercises:

- Conduct tabletop exercises to provide a training opportunity for officers to anticipate potential challenges and initiate constructive discussions. Exercises can be conducted locally without the need for elaborate setups or travel.
- Develop a proactive training approach that enables the department to equip each officer effectively and ensure they are well-prepared to fulfill their duties.
- Officers should photograph all crime scenes that resulted in suspicious deaths.

All police vehicles should be equipped with standard evidence collection equipment:

- All patrol officers should have standard evidence collection equipment in their patrol cars.
- As the first responders, Canton PD officers should receive training on evidence collection and preservation relevant to crimes scenes involving dead bodies.

XX. Section 1, part (ee): Criminal Intelligence

Ensure documentation of all criminal intelligence:

- Develop a consistent format for documenting and memorializing all criminal intelligence.

XXI. Section 1, part (gg): Victim Witness Rights

Ensure enforcement of laws as written:

- Canton PD should enforce all laws as applicable and as cited in Massachusetts General Law Chapter 253b regardless of public sentiment.

XXII. Section 1, part (pp): School Resource Officer Policy

Assign one (1) SRO to each school:

- It is advisable for additional resources to be assigned so that each school can always have its own officer present, rather than requiring one (1) officer to cover three (3) schools.

XXIII. Section 1, part (ss): CALEA Standards on Specified Policies

Updating CALEA accreditation or incorporating MPAC standards into existing policies:

- Update the CALEA accreditation or incorporate MPAC standards into the existing Policies and Procedures of the Canton Police Department to enhance overall standards compliance.

XXIV. Section 1, part (vv): Personal Use of Cellular Phones

Policy prohibition against the use of personal cellphones for department business:

- All officers of the Canton PD should be issued departmental phones.
- At a minimum, all officers of the rank of sergeant and above, as well as the detectives in the investigative division, should be issued departmental phones.
- Use of personal phones to conduct department business should be prohibited.

XXV. Section 2: Crime Scene Protocols

Canton PD should digitally photograph all crime scenes upon initial response:

- Canton PD should conduct basic scene security and documentation, including photographs and a sketch of the scene, regardless of whether the investigation is transferred to another law enforcement agency, such as the Massachusetts State Police.

Crime scene training:

- Training in Crime Scene Preservation/Processing.

Evidence collection equipment:

- Ensure readily available collection equipment.

Change the culture of expectations for response to a scene:

- Even though the investigation will be turned over to Massachusetts State Police, Canton PD should take ownership of the scene as the first responders and conduct follow-up investigations with MSP.

XXVI. Section 3: Professional Standards and Accountability

The Internal Affairs (IA) Complaints/Investigation procedures should be updated to include a formal investigation process with improvement recommendations or corrections.

- In addition to the existing policy in Section 4.01, a formal investigation process should be established. Such a process should include witness interviews, statements in writing or recorded interviews by officers.
- Recommendations should be made in the findings report such as additional training needed or protocols to improve the officer's conduct.

Pursuant to existing policy, any citizen complaints regarding misconduct are directed to the police department and reported to "the Officer in Charge."

1. If an officer is made aware of a citizen wishing to file a civilian complaint, whether against that officer or another officer, the officer should immediately contact a supervisor. It then becomes that supervisor's responsibility to immediately respond to the scene and interview the complainant.
2. The supervisor should offer to accompany the complainant to Canton PD for the purpose of providing the complainant with the proper civilian complaint forms and any additional resources or assistance that may be necessary.
3. Whether at Canton PD or in the field, a supervisor shall meet with and interview the complainant and determine the nature of the complaint. That supervisor will assess the complaint and determine if immediate action is necessary based on the nature of the complaint.
4. If it is determined that immediate action is necessary, that supervisor shall immediately contact the commanding officer.
5. If the supervisor determines that the nature of the complaint does not require immediate action, that supervisor will provide the complainant with a civilian complaint form and shall also explain to the complainant the civilian complaint process.
6. If the supervisor obtains information during his/her initial inquiry that would prove or disprove the allegation made, that supervisor will document and forward the information in writing to the Chief of Police for action as deemed appropriate.
7. The Chief of Police shall be notified of all complaints against the agency or its members in a timely manner.
8. Allegations of criminal conduct, as well as incidents that are/will likely be high-profile in nature, shall be brought to the immediate attention of the Chief of Police.

52.1.1: Immediate Resolution of a Complaint

In some cases, a complaint can be resolved to the complainant's satisfaction at the time by the Shift Supervisor.

- This immediate resolution can often be accomplished if the incident is clearly not of a serious nature, or arises from a misunderstanding, or lack of knowledge of the law or limitations of a police officer's authority.

- If a complaint that arose from misunderstanding, or lack of knowledge of the law was resolved by the Shift Supervisor, a notation will be made by the Shift Supervisor in his/her own file, however, no formal complaint form should be filed.

[Note: The Audit Team agrees with the policy and procedures related to resolving complaints to satisfy the complainant.]

Internal Affairs (IA) Responsibility

- The Deputy Chief of Operations is granted the authority to oversee and assign investigative authority of IA investigations. The Deputy Chief of Police will report directly to the Chief of Police on the progress of the investigation.
- The Chief of Police shall be notified of all complaints against the agency, or its members in a timely manner.
- Allegations of criminal conduct, as well as incidents that are/will likely be high-profile in nature, shall be brought to the immediate attention of the Chief of Police.
- Upon the receipt of a complaint, an IA member should be assigned to investigate and/or document the complaint.
 - IA members shall ensure that all applicable protocols pertaining to civilian complaint forms are executed.
 - All complaints of officer misconduct shall be entered by the assigned IA Investigator into a Canton PD case file, preferably a software application designated for this purpose. The software can be used to document the incident and the steps taken by the department via entering all pertinent information in the appropriate data fields and narratives.
- The IA investigator shall make periodic updates to the complainant of the status of the investigation.

Process:

- All civilian complaints to the police department should be documented on a Canton PD complaint form and filed with the Canton PD Desk Sergeant or e-mailed to a department email address utilized to receive complaints. Any civilian who enters the Canton PD with a complaint will be provided with the form and an opportunity to complete it. All completed forms will be entered into the dispatch log with a time stamp and receipt and then forwarded to the Deputy Chief of Operations (DC-Ops) and Investigations for processing, numbering, evaluation and further action if necessary.
- In cases where an IA investigation is warranted, the DC-Ops will record his rationale in a report, assign an IA number to the complaint, (in addition to the civilian complaint number) and appoint an investigator of suitable rank and experience to conduct the investigation. The DC-Ops will inform the Chief about the allegation and subsequent investigation, ensuring compliance with POST requirements. The investigator(s) should take recorded statements, collect physical evidence, and review any material as necessary. All evidence obtained during the IA investigation should be handled as regular evidence, labeled and processed with exhibit numbers. When the investigation is complete, the entire packet will be sent back to the DC-Ops for review.
- Upon completion of the IA investigation, the entire file, including reports, interviews, transcripts, and evidence, will be reviewed by the DC-Ops for thoroughness. If the investigation is deemed

comprehensive and capable of assessing the validity of the complaint, the file will be passed on to the Deputy Chief of Administration (DC-Admin) for further review as it pertains to policy violations.

- The DC-Admin will examine the file for policy violations by any Canton PD member, irrespective of the original complaint and allegation. Misconduct violations will be identified by policy number, directives, date of infraction, and specific details outlining the misconduct. The DC-Admin will record the findings of misconduct violations, or lack thereof, in an official report and the findings report and IA file will then go to the Chief of Police for final decision based on Police Collective Bargaining agreements, Town By-Laws, Civil Service regulations, and CMR 555. In instances where misconduct or policy violations are confirmed, a disciplinary matrix should be used to ensure consistent corrective actions are taken with all officers for similar sustained charges of misconduct.
- The Chief will review the file and the report outlining the policy violations. The Chief will make a decision to find the misconduct substantiated or unsubstantiated. For unsubstantiated misconduct, the officer will receive a Letter of Caution, a Letter of Warning, or a Letter of Clearance. Discipline warranted for substantiated misconduct will be issued by the Chief in accordance with Town Policy, POST requirements, and the collective bargaining agreement. A copy of the final decision will be given to the officer and included in the IA Investigative file and utilized as a closing document. Upon the file closing, the DC-Ops will then contact the original complainant and inform them of the investigation and its conclusion. The complainant is entitled to know that their allegation was unsubstantiated and closed, or it was substantiated and resulted in discipline to the officer and closed. The Canton PD has no requirement to provide further explanation.

The implementation of the above format, or a similar format that meets the rules and requirements of the department, is crucial for transparency and fairness, fostering an environment within the department of accountability.

[Note: According to Canton PD Rules and Regulations, officers are subject to disciplinary actions outlined in statute (M.G.L c. 31 sec. 43) and other appropriate measures deemed fit by the Chief, including letters of reprimand. Procedural requirements governing notice and hearings will be followed.]

Records:

- Maintain case files pertaining to current investigations or closed/unsubstantiated investigations for all complaints made against the Canton PD and/or its employees within secured areas over which only the Chief of Police or designee has access and control. The Officer in Charge of the investigation shall see that all records and reports of investigations are in a locked desk or cabinet to ensure confidentiality. *[52.1.2 (3,4,5)]*
- All completed investigation files will be locked in the office of the Chief of Police. *[52.1.2 (5)]*
- When employees are notified that they have become the subject of an IA investigation, a written statement of the allegations and the employee's rights and responsibilities relative to the investigation shall be issued to the employee at the time of said notification.
- All information obtained during the investigation of a personnel complaint is considered confidential. Therefore, it is imperative that all documents pertaining to personnel complaints be properly secured to protect all parties involved.

- Under current policy, the IA investigation details a full written report to be submitted to the Chief of Police. The report will include the following.
 - The original complaint report
 - Any additional statements taken from the complainant or statements obtained from witnesses
 - Any statement made, or reports submitted by the department employee under investigation
 - A summary of all evidence gathered
 - Any mitigating circumstances
 - An evaluation of the complaint and a “conclusion of fact” as to whether the charges made by the complainant were:
 - Valid and supported by sufficient evidence
 - Un-sustained because of inadequate or insufficient evidence
 - Unfounded as the allegations were without foundation; or
 - Unjustified or unwarranted as the actions of the accused department employee were in compliance with law or in accordance with Department policy and procedure 52.2.8.

XXVII. Section 4: Organizational Structure and Governance

- The police department should resume posting public announcements, notifications and public warnings of importance on all relevant social media platforms immediately,
- Public comments should remain disabled until they can become beneficial and promote a positive exchange of information.

Additionally, the Town of Canton Should:

- Canton PD has the authority to investigate misconduct complaints per their policy. However, the Audit Team recommends hiring outside firms for IA investigations where conflicts and potential conflicts exist, or cases where multiple officers are involved.
- Increase the number of officers trained in crime scene processing, management and preservation.
- Train officers in report writing to improve their skills and require the submission of concise, detailed incident reports that explain how the situation was addressed and resolved.
- Provide training for officers in courtroom testimony.
- Ensure all police vehicles are equipped with essential evidence collection tools, such as digital cameras and department-issued cell phones. It is impractical to use a department-issued laptop for capturing photos/videos at a scene.
- The police prosecutor officer and the detective sergeant positions should not be combined.
- Hire administrative staff, including a secretary or for the C-suite and detective bureau, as well as interns and or analysts. A full-time Administrative Assistant for the Detective Bureau is desperately needed.
- Hire dispatchers who can work with uniformed officers to handle emergency and non-emergency calls, enter data, and service information requests from the public.

XXVIII. Section 6: Management Operations and Culture

Secure permanent funding for additional positions:

- Secure permanent funding for a Mental Health Professional (MHP).
- Secure permanent funding for two (2) additional SRO positions, one (1) for each elementary school.
- The grant renewal for the Mental Health Professional (MHP) was delayed this year, causing uncertainty. The MHP has been identified as a valuable asset by all department personnel during in-person interviews.

Conduct IA investigations in-house:

- The Audit Team recommends that IA investigations be conducted by the Canton PD in accordance with their policy when appropriate. Since the Canton PD is a small department, when investigations involve conflicts of interest, or multiple officers, we recommend hiring outside firms to conduct the IA investigation.
- Four (4) IA cases were investigated by a contracted independent investigator from 2022-2024. This cost of \$27,360.00 was paid from the Canton PD budget.

Hire outside entity to conduct IA investigations:

- The Audit Team recommends that IA investigations be conducted by an outside entity to avoid any internal conflicts within a small department. The expense of hiring an outside reviewer is minor compared to the potential time and expense spent addressing allegations of bias or inconsistent processes.
- The Audit Team recommends hiring outside firms for IA investigations where conflicts and potential conflicts exist, or cases where multiple officers are involved.

Effective communication channels should be established between town leaders, elected officials, and officers in the department:

- Meetings should be held directly with elected town leaders and department officers for productive discussions, with a focus on improving communication.
- These meetings should not be open to the public to ensure efficiency in making the meetings productive.

XXIX. Section 7: Hiring Training Standards and Equipment

Hire an Intelligence Analyst to support the Detective Bureau:

- Assist the Deputy Chief of Police with tasks like managing Freedom of Information Act (FOIA) requests, investigative inquiries, and police report redactions.

Hire a Civilian Dispatcher for each shift:

- Bringing on one (1) civilian dispatcher for each shift to work alongside a uniformed police officer
- Additional personnel would ensure continuous coverage for phone calls, radio communications, and walk-in inquiries without compromising any specific duty.
- This setup would also enable sergeants to focus on supervising patrols, maximizing the presence of officers on the streets.

Address the following equipment needs for Canton PD officers:

- Portable Radio Coverage: "dead zones" present a serious safety issue for officers.
- Home-to-Work Utilization of Police Vehicles: on-call Detective, Detective Sergeant, and Detective Lieutenant
- Cellular Phones: All Canton PD officers should have a department-issued phone.
 - At a minimum, supervisors of the rank of sergeant or higher should be provided with department-issued phones.
 - Each patrol vehicle should be equipped with a department-issued phone.
- Digital cameras for sergeants and lieutenants
- Crime scene processing equipment for detectives
- Crime scene preservation equipment for patrol cars

Addressing these equipment needs will enhance the operational efficiency and safety of Canton PD officers, contributing to effective law enforcement practices.

XXX. Section 14: Evidence Review

- Assigning part-time personnel, preferably a retired sworn officer, to the evidence room.
- Better coordination with the police prosecutor for those cases that have been adjudicated.
- Obtaining Ballistic Testing by ATF on all firearms, even if they were just found, and run a trace for ownership and NCIC check.
- Documentation regarding the chain of custody on evidence could be improved in standard report writing.

XXXI. Section 15: Police Detail Financial Review

- The Canton PD should continue to accept, schedule and provide services to those businesses and customers requesting police details.
- Canton PD will create and send the vendor/customer an invoice, copying the Town of Canton Finance Director.
- Responsibility to ensure invoice payment lays the Town of Canton, Department of Finance.
- Under no circumstances should the Canton PD be accepting cash/checks or payments.
- Town of Canton advises police of business or individuals not eligible for detail coverage.

XXXII. Section 18: Liaison Interviews

- **Simplify Reporting:** Consolidate multiple brief reports into a single, detailed and concise/comprehensive report.
- **Officer Identification:** Reports should prominently feature the names of all officers involved in the incidents, as well as the names of judges, prosecutors and defense attorneys related to the case.

- **Use of Audio Recording Devices:** Officers and detectives should utilize audio recording devices during witness and suspect interviews, with consent whenever possible.
- **Department Issued Mobile Phones:** ADA Connors concurred with prior recommendations that each member of Canton PD should be equipped with a department-issued mobile phone for official use.

XXXIII. Section 19: Security Assessment

- The rear parking area for police vehicles and officers’ personal vehicles needs to be secured with security fencing. Police cruisers are parked there, most of which contain law enforcement equipment and firearms.
- Install an electronic, rolling, and retracting gate and an eight (8)-foot chain link fence, with privacy slats, and intercom for security.
- The entrance to the department and the front of the building facing Washington street need safety bollards, which provide a barrier to vehicles from damaging or ramming the doorway and building.

b) Prioritize improvements based on risk and impact.

The top priority should be given to recommendations that enhance safety and efficiency in police operations. Suggestions such as providing portable radios, issuing cellular phones to Canton PD officers, and improving evidence training directly impact both the community and public/officer safety. Additionally, physical security enhancements at Canton PD headquarters must not be overlooked.

Evaluating the feasibility of conducting training in-house or in collaboration with other state agencies can help minimize costs, as such training often only requires overtime expenditures.

Most of the recommendations involve the need for additional training and equipment, sometimes both. It is essential for the Town of Canton to review and potentially increase the training budget for Canton PD, which has remained stagnant for the past three (3) years. The current training budget of \$100,000 for FY 2023, 2024, and 2025 has not been sufficient, considering that Canton PD spends an average of \$170,000 annually on mandated training, certifications, and legal requirements. Budget shortfalls have been covered by the Asset Forfeiture Fund (AFF) shared assets, but those monies cannot be counted on annually.

The Town of Canton leadership should carefully assess their priorities regarding Canton PD training and consider reallocating resources to ensure that officers receive the necessary training and equipment recommended to perform their duties effectively and safely.

A prioritization for the implementation of recommendations should be:

- **Safety** (first the public and second the officers)
- **Civil Liability** of the Town of Canton
- **Police department efficiency**
- **Financial Constraints** Increase in Training Budgets

c) Provide actionable steps for implementation and e) Provide a complete report of compliance issues and how they can be improved and enforced to industry standards

Implementation of Recommended Improvement Strategies for Compliances Issues:

Throughout the report, recommendations have been made in response to all compliance issues. The specific recommendations are noted following every policy or section reviewed within *Section 1* and summarized in *Section 20, part (a)*. All compliance issues noted can be remediated by either 1) ensuring the policies in place are followed as written, or 2) developing policies to address any issues as they evolve not currently addressed by existing policies. The Canton PD policies are well written and all are aligned with CALEA and MPAC Standards. Policies identified within the above-mentioned sections that were not followed as written should be noted and addressed through the recommended implementation strategy below.

The proposed strategy for implementing the recommended corrections to compliance issues as noted in *Sections 20, part (a)* and *(e)* is as follows:

- The Canton PD should establish protocols to ensure adherence to the already written policies; to include annual certification by officers acknowledging they have read and understand departmental policies
- Initiate low-cost training for Canton PD officers addressing compliance issues; (training conducted in conjunction with another agency such as the DA's office)
- Apply for funding to the Town of Canton to secure external training and additional equipment where needed.

Strategies to Ensure Adherence to Policies as Written:

- Many recommendations were made regarding policies that were already in place but not followed in every applicable instance. Establishing protocols and practices as needed to ensure current policies are followed is an immediately available course of remedial action.
- Where noted within the report, policies with multiple compliance issues should be reviewed with an oversight protocol in mind.
- Policies that evolve and become insufficient should be immediately updated with the policy directives recommended within the report.

Examples:

- Immediately begin an annual certification process requiring Canton PD officers to sign a certificate affirming they have read and understood Canton PD policy as written. Important policies to review and certify include:
 - Handling of Juveniles Policy
 - Duty to Intervene Policy
 - Sexual Assault Policy
- Update policies to include MPAC standards since MPAC holds Canton PD's current accreditation. Alternatively, obtain a current CALEA accreditation since most policies are in line with CALEA standards.

- Institute post-incident evaluations of deviations from policy to review effectiveness of policy corrections.
- Updated the Social Media Policy with recommendations within the report in consideration of the current community climate.
- Evaluate and update policies, such as the Bias-free Policing Policy, with feedback from community discussion forums.
- Update the Informant Policy with the recommended protocols detailed within the report.
- Ensure policies are followed as written along with applicable Massachusetts laws, regardless of public sentiment, including the Victim Witness Rights policy.
- Amend the Officer Vehicle Use Policy to include parameters dictating personal use of police vehicles.
- Update the Dispatch Policy to limit access to the dispatch area to only those involved in dispatch functions.
- Examples of Evidence and Related Policy Protocols:
 - Immediately implement report writing templates or guidelines that ensures consistency in formatting and structure. Ensure documentation is completed of any non-action, not only action or use of force. Confer with the Norfolk DA's office for content.
 - Additionally, establish a report writing review process that requires all reports to be reviewed by a supervisor for accuracy and completeness.
 - Implement a checklist to guide a supervisor review of crime scene response protocols to ensure all required follow-up is complete, including Canton PD responsibilities and documented turnover to MSP.
 - Establish protocols for "unannounced" evidence room audits.
 - Ensure proper documentation of all criminal intelligence received, regardless of perceived relevance at the time.
- Personal Cellphone Policy
 - Immediately amend Canton PD Policy to prohibit the use of personal cellphones for conducting any departmental business, including photographing crime scenes.
- CEO Notification Policy
 - The CEO Notification Policy should be amended to require notification to both the Chief and the Deputy Chiefs.
- Ensure any amendments to the Community Relations Policy are made as a joint effort between the Canton PD Administration and the Town Select Board.

Conduct No-Cost Training and Protocol Adjustments:

- Where feasible, conduct cost-free training. Opportunities can be created locally within the department through self-contained training that does not require outside instructors or travel. The District Attorney's office can be a resource for no-cost training in:
 - Discovery Compliance
 - Legal Ethics

- Testifying and Courtroom Procedures
- Other cost-free training includes scheduled table-top exercises within the Canton PD.
 - Training can include rehearsing crime scene responses which allows officers to mentally rehearse what their response will be when called upon. This ensures police officers are prepared, and vehicles are properly equipped with gear needed prior to a real-world response.
- The Canton PD FTEP program for new officers should be extended to eight (8) weeks.

Develop Funding Proposal for Outside Training and Equipment.

- Application for funding to the Town Select Board should be made for outside training needed to ensure compliance with policy and best practices.
- Equipment:
 - Officers should be provided with department issued cellphones for conducting police business.
 - Each police vehicle should be stocked with basic crime scene collection equipment.
 - Each police vehicle, or at a minimum, each detective and supervisor vehicle, should be equipped with a digital camera.
 - Allocate necessary funds to diagnose the Canton PD radio communications issues where there is little to no transmission or reception capabilities covering certain areas of the Town of Canton. Ensure Canton PD has the funds needed to purchase additional equipment to resolve the issue.
 - Funds should be obtained for additional Flock traffic cameras to be installed within the Town of Canton.
- Support:
 - Funding for a full-time Mental Health Professional should be explored through the Town of Canton in the event of DOJ funding delays.
 - Civilian dispatchers should be hired to work in the dispatch center alongside sworn officers.
 - Funding should be obtained for at least two (2) more school resource officers to ensure a police presence at each elementary school at all times.
 - Additional funding for more full-time officers will reduce the need for overtime funding.
- Training:
 - Funding should be obtained for patrolmen and detectives to attend a “Crime Scene Preservation” class.
 - At least two (2) detectives should receive training in sexual assault crime scene response.
 - Overtime funding should be allotted for officers to attend no-cost training when time is required to do so.

Further recommendations made within the report should be prioritized and implemented in line with the above implementation strategy.

d) Consider community input and stakeholder engagement.

Rebuilding Community Trust

Law enforcement is tasked with the difficult job of maintaining the trust of the community while acting as an enforcement body for community members in violation of the law. While criminal enforcement is a necessary and vital community service, it invites the highest forms of examination and criticism. Any deprivation of basic freedoms (through seizures, searches, fines, criminal penalties, etc.) is relentlessly and rightfully scrutinized. Tragedies that deeply affect community members prompt the highest expectations of a police response. Police officers must respond to emergencies immediately, with little opportunity to plan and ponder regardless of the conditions. Their actions, though legally reviewed from the perspective of a reasonable officer at the time of event, are reviewed by the community and media from the perspective of hindsight with unlimited speculation.

Policy guidelines are pertinent to demonstrating an officer's accurate and successful performance of investigative duties in the face of criticism. When policies and guidelines are not followed or protocols do not exist, a dangerous perception gap is created between *what should have happened* and *what actually happened*. This gives critiquing parties (including community members, media and defense attorneys) the space to fill the gap with reasonable doubt as to the credibility of the officer or entire department. Inevitably, imperfect conditions will always be present when conducting law enforcement operations, making policies nearly impossible to always follow. Officers will occasionally make honest mistakes when responding to rapidly evolving situations. Police are expected to follow 100% of the rules while dealing with criminals, who are expected to follow none.

Nevertheless, this is a responsibility law enforcement officers commit to bear at the outset of their careers, as reflected in their Oath of Office. Therefore, officers must prioritize their position of "public trust" through *continually* earning the public's trust. Ensuring a commitment to the community they serve includes proving themselves trustworthy through not only community policing programs, but through continuity in following established guidelines and procedures. Departmental support is paramount in this effort as officers require clear guidance not only in the policy guidelines, but in the practical adherence thereto. Practical "real-world" training should be conducted regarding guidelines that cover crime scenes, report writing, use of force, etc., and how to appropriately document where deviations from policy must occur. Additionally, mentorship programs should be encouraged for new officers by the senior officers with exceptional reputations for integrity and experience in police work. As the expectations of policy compliance increase, policies should be routinely reviewed so that obsolete policies are eliminated, and overly complex policies are changed. Department officers must be able to count on Canton PD management and Town Select Board members to trust they are not being set up for failure with impossible or impractical expectations. In the event an officer is found to be in repeated or reckless violation of policies, disciplinary review, and if necessary, disciplinary action should occur. Records documenting any corrective action taken should be maintained to demonstrate accountability in practice.

Efforts to repair the relationship between the Canton PD and the Town of Canton community must be an ongoing process. The Audit Team noted instances where some policies were not fully followed and noted recommended changes within. Proven records demonstrate compliance with even the smallest policies

produce a tangible metric of trustworthiness. Efforts to initiate compliance metrics demonstrate transparency with the community of the Town of Canton.

Additionally, Canton PD could develop a path to deeper public trust through continued engagement with the citizens of the Town of Canton. The Audit Team noted commendable efforts of the department inviting engagement with the community – specifically the SRO program. When feasible, opportunities should be explored for educating the community on law enforcement practices and procedures (i.e., Department events where Canton PD officers use community demonstrations, or “academies” to inform participants of typical law enforcement scenarios and practices). Engaging with the community in this way not only invites understanding of the challenges facing police, but also facilitates an appreciation for law enforcement officers as true professionals in their field.

