

# Disorderly Youth in Public Places: Fair and Effective Policing

Lieutenant Detective Mark F. Gillespie  
Massachusetts Bay Transportation Authority  
MBTA Transit Police  
September 2007



# Massachusetts Bay Transportation Authority (MBTA)

- Nation's 4th largest mass transit system
- Serves a population of over 4.5m people in 175 cities and towns
- Covers an area of 3,244 square miles
- 183 bus routes, 3 rapid transit lines, 5 streetcar (Central Subway/Green Line) routes, 4 trackless trolley lines and 13 commuter rail routes
- Over 40,000 youth ride system daily



# MBTA Stations

- Located near schools
- Geographically bound by 5 autonomous Transit Police Service Areas
- Located in culturally and economically diverse neighborhoods



# MBTA Transit Police workforce

- 250 officers
- 61 officers of color (24%)
- 24/7 full service operation



# Less than a decade ago...

- Youth disorder was a problem
- Rising youth crime
- Passengers were intimidated and were avoiding using the transit system
- Perceived racial prejudice against a minority school population by a majority white ridership
- Zero tolerance approach adopted
- Police approach was heavily criticized – quantitatively oriented
- Normal teen behavior was being dealt with as criminal

# Youth on the MBTA

- Anonymity
- Their presence was intimidating for others
- Unruly teen behavior and allegations of fights, robberies, assaults, damage, graffiti and youth disorder
- Services regularly disrupted – pulling emergency cords-holding doors open- foul language
- Community was demanding action
- Strong media interest
- Hundreds of juveniles arrested for disorderly behavior and low-level or status offenses

- By 2001, the traditional approach had resulted in lawsuits, public outcries and sometimes Disproportionate Minority Contact (DMC) issues
- Accusations of unfair and discriminatory tactics when dealing with normal teen behavior- no empathy
- Courts questioned value and validity of arrests as well as wasted resources - back logs
- Juveniles were getting criminal records for trivial misdemeanors
- No real reductions in levels of crime
- Juvenile Justice Center lawsuit filed – No confidence vote in Chief - May 2001

# MBTA Transit Police Pre-2003

- Quality of life arrests encouraged
- Community policing not supported

# Officials vow probe of 'rogue' T police

## Profiling charged at Roxbury hearing

By Raphael Lewis  
GLOBE STAFF

State Transportation Secretary Kevin Sullivan promised a panel of minority lawmakers last night to pursue criminal investigations of "rogue" MBTA police officers found responsible for profiling, harassing, and brutalizing minority youths.

The vow, made before 200 people at a packed hearing in Roxbury, came after a parade of parents and youngsters testified before the Massachusetts Black Legislative Caucus about run-ins with T police that Chief Thomas O'Loughlin called "reprehensible."

"The MBTA needs to do more, obviously, than what we've been doing," an apologetic Sullivan, who this week formed an independent task force to probe alleged racial profiling by T police, told the panel of seven state legislators.

But his pledge to refer more than 100 complaints collected by the caucus to Attorney General Thomas Reilly did little to mollify many in the audience.

The first parent to speak was Jill Sof-



GLOBE STAFF PHOTO/CHITOSE SUZUKI

Senator Dianne Wilkerson questioning MBTA Police Chief Thomas O'Loughlin yesterday at the Dudley branch of the Boston Public Library.

fiyah Elijah, a Harvard Law School professor whose teenage son, who is black, was arrested April 11 for trespassing at a Cambridge subway station.

Elijah, who arrived at the hearing with noted law professor Lani Guinier, said her son, an art student, had walked to see a mural in what he later found out was a restricted area. The police patted

him down and handcuffed him, allegedly ignoring two white youths who had jumped the turnstile.

Although he was detained for six hours, the boy's charges were later dismissed. So too were subsequent charges of vandalism, which alleged that the boy had spray-painted a station in Ja-

MBTA, Page B6

*Thors. May 24, 2001*

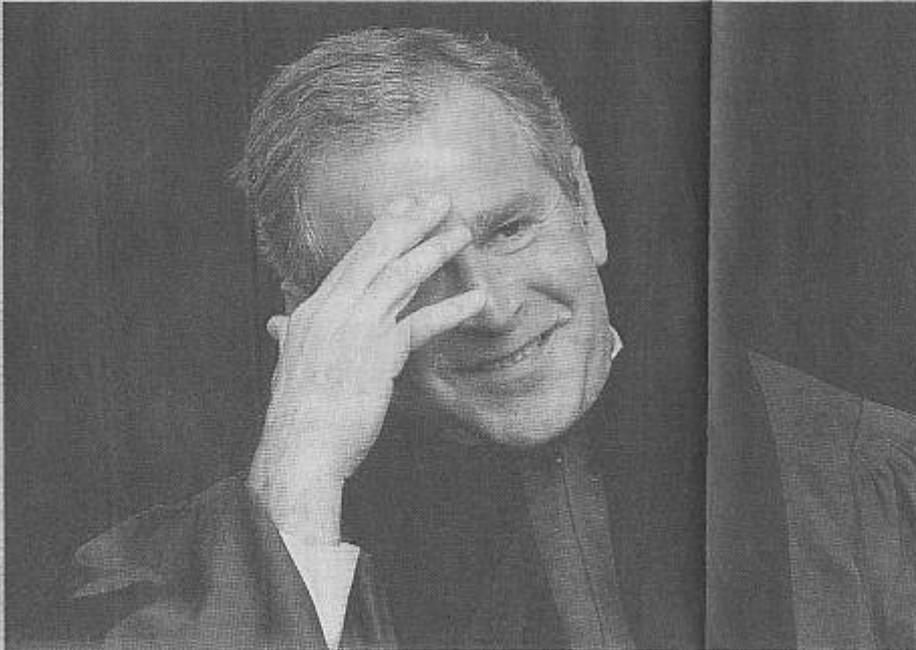
# What harm can poor relations with youth cause a police organization ?

VOLUME 249  
NUMBER 142  
50 cents

# The Boston Globe

TUESDAY, MAY 22, 2001

**SODDEN CHANGE**  
Today: Rain expected,  
55 to 60  
Tomorrow: Bate early,  
then improving off 50s  
High tide: 11:34 a.m., 2:44 p.m.  
Full report: Page B12



**State panel  
to review  
the T police**

**New task force  
will investigate  
complaints of  
racial profiling**

By Raphael Lewis  
@COSTAR

Two days before black state lawmakers hold a hearing on allegations that the MBTA police force routinely targets minority youths, the state transportation secretary yesterday announced he will convene an independent task force to "find the truth and face the perceptions."

The Task Force on Combating Racial Profiling, which so far includes nine clerics, educators, health-care workers, and a retired sociologist, the task force will recommend necessary changes, said Transportation Secretary Kevin Sullivan.

Ripe for change, Sullivan said, are the areas of data collection, especially related to stops and detentions, as well as the department's civilian complaint procedure.

"There's a perception out there that profiling is going on, and the fact is, you can fight and get defensive, or you can say that race relations is a work in progress," said Sullivan, adding that he believes the department is largely innocent of the allegations. "We are embracing an effort to shed light on this subject."

Sullivan has invited representatives of the US Department of Justice, the state attorney general's office, and the MBTA board of directors to join the task force.

AP PHOTO

President Bush, commencement speaker and honorary degree recipient, at Yale University in New Haven yesterday.

# A mandate for change...

4 • Thursday, March 21, 2002 • BAY STATE BANNER

## A mandate for change

When Boston's former Police Commissioner William Bradford Huie took to New York to lead the police force there, he took with him a policy which was forged in Roxbury — zero tolerance policing. That was half of a two-fold strategy that included neighborhood policing. The idea was to enforce the law even if minor infractions that were often ignored by the police. This would improve the quality of life for the citizens and clarify young adolescents that the eyes of the law were on them.

As they say, the rest is history. The Roxbury strategy worked like a charm and catapulted Boston into national prominence. This everybody wanted to implement a zero tolerance policy. But police departments found that it is a much more sophisticated strategy than it sounds, and it is doomed to fail without its companion strategy — neighborhood policing.

The MBTA police attempted to implement a zero tolerance policy and had disastrous results. The intention was understandable. Portions of the MBTA system are entitled to peaceful and pleasant experiences on the T. Loud and raucous youngsters coming home from school disrupt that tranquility, and other patrons certainly have the right to complain. The problem is that the rule believed by some youthful patrons often does not even constitute a misdemeanor. Police intervention, if appropriate at all, should have been in the nature of proactive, neighborhood policing.

The Boston-like mindset of the MBTA police created the impression that the policy was to abuse the many students of color who ride the T. The Task Force on Combating Social Hoarding was correct in finding at least the basic policing philosophy of the MBTA police, and the MBTA board of directors will correct its accepting the report of the task force implicating for the end of zero tolerance policing.

There are still many issues confronting the board. It chief Thomas O'Loughlin the one to devise a new policy and lead the MBTA police forward? Was he too protective of police officers whose conduct against citizens was negligent and unprofessional? Did he knowingly permit his officers to arrest a number of black youth when department policy required that they only be issued a summons to appear for their alleged transgressions in case it? To what extent did the police rely on its tactics with the national implementation of police policies?

The task force and its chairman Mayor Donohue should not be commended for their painstaking efforts over nine months to investigate the problem and present their findings to the board. This is an extraordinary example of what a group of citizens can do to resolve a serious problem. Now it is up to the board to implement the task force recommendations and bring justice to the T.



*"It looks like the MBTA police cause more disturbance than the kids!"*

*Letters to the editor*

# Blue print toward success

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## THE PLAN OF ACTION A Commitment to Excellence

MBTA Police Department  
240 Southampton Street  
Boston, Massachusetts 02118

Joseph C. Carter  
Chief of Police

# New Approach – Plan of Action

- Various data sources analyzed
  - Arrest & summons
  - Crime, detection and intelligence data
  - Calls for service
  - Customer complaints
  - Youth and staff surveys
  - Ridership levels
- Field observations, environmental audits, focus groups and interviews
- Customized assessment of youth issues on the T
- Cultural and psychological analysis of juvenile travellers

# SARA method of problem-solving

- SCAN
- ANALYSIS
- RESPONSE
- ASSESSMENT

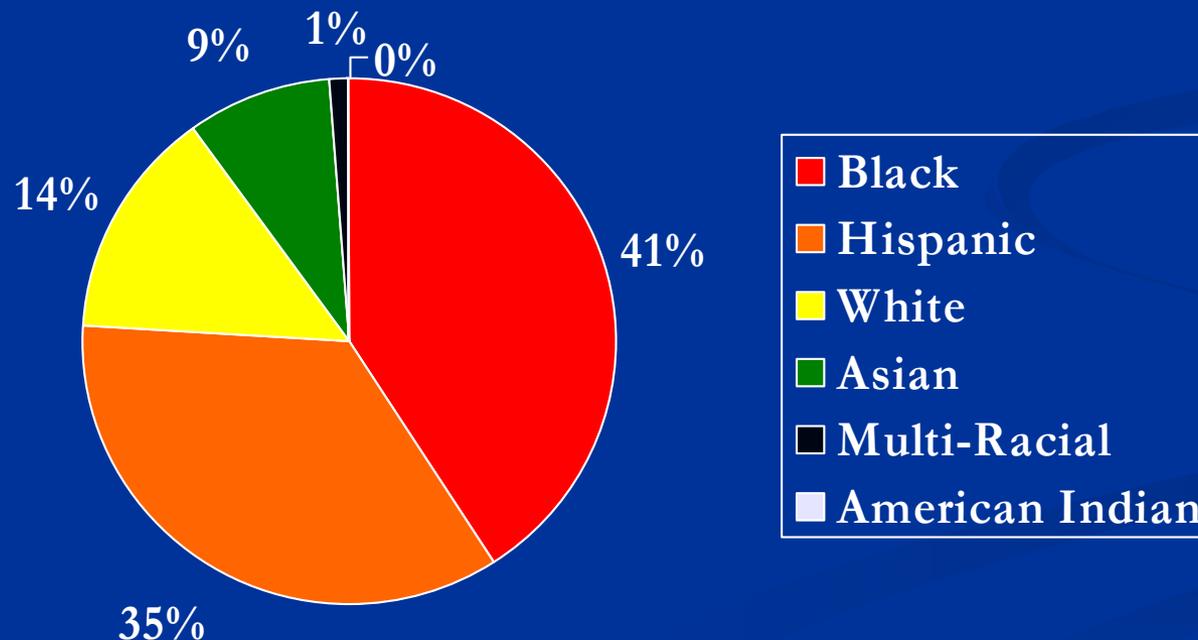
# SCANNING AND ANALYSIS

# Boston Public Schools at a glance

[Mayor] “Menino went on to describe the evolution of the racial landscape of Boston, a city that is now a “Majority-minority” city, in which minorities outnumber whites. One in four residents of Boston are born outside of the US and 140 languages are spoken in the city”

DailyFreePress.com, 11/13/03

## Student Demographics:



# Disorderly youth in public places

- A common and troubling problem
- Dealing effectively with youth disorder requires considerable skill, sensitivity and resources
- Police must balance youths' rights against complainants' rights
- Police must at times be firm and at times be flexible with adolescents and remain sensitive to how the public will perceive police actions



# Gathering data



# What we learned....

- Many issues involving youths on system carried over from school
- Transit interchanges created opportunities for crime and disorder – large volumes of students from different schools converged at same time
- Anonymity of students travelling on system allowed them to misbehave and evade detection
- Young people were often unaware of the effect of their rowdy behavior on others- “Got Respect” Campaign
- Truancy was an issue

# What we learned (cont)

- 86% of students from Boston Public Schools were from minority ethnic groups
- 76% of MBTA Transit police were white
- Aggressive, non thoughtful and provocative police responses exacerbated problems with youth
- Offender based strategies focused on identifying, arresting and prosecuting juvenile offenders, did little to address the problems
- Transportation unions – difficulty in changing operators' schedules

# What we learned

- Young people were both perpetrators and victims
- Concentration of incidents between 6:20-8:00am and 1:30-3:00pm
- Male / Female – level of incidents almost the same

# What we learned (cont)

- Young people also felt unsafe – survey found that they felt most vulnerable on the transit system
- Increased police presence “backfired” and actually led to a battleground for youth to resolve disputes
- Police visibility was not accompanied with a plan or goal
- Problems remained despite police response and high arrest numbers

**RESPONSE**

# Response

- A multi-facet approach was needed to change conditions that gave rise to the problems
- Strategy addresses all elements of the crime triangle
- Based on situational crime prevention principles to reduce opportunities for crime and disorder
- Strategy requires multi-agency, coordinated action
- We convened a meeting to bring together other interested advocates to formulate a problem oriented strategy

# Inception of StopWatch

- Strategic issues retreat with key partners
- Steering group established to oversee delivery of program
- Alternative strategies for dealing with problematic behavior
- Comprehensive program of integrated activities developed
- Continually evolving in response to feedback and evaluation



# **STOPWATCH**

WORKING WITH YOU TO PROTECT US ALL

## **A problem-oriented policing approach to tackling youth behavior on Boston's public transit system**



**Can you think of an example in  
your own department where  
outside assistance proved to be  
effective ?**

# Six key elements of Stopwatch

1. Enhancement – improve interactions with youths through enriched policing skill
2. Engagement – strengthening links with schools and the community
3. Education – communicating rules of behavior and crime prevention advice
4. Empathy and Respect
5. Enforcement – using appropriate police and school disciplinary mechanisms when necessary
6. Environment – improving transport system logistics

# Enhancing Police Skills

- Training program developed with Juvenile Justice Center
- Aims to improve understanding of strategies for effective interactions and positive engagement
- Insight into adolescent development and cultural stressors on youth
- Covered legal aspects and juvenile justice system
- Identified officers that were especially skilled in dealing with youth behavior
- Over 180 officers trained



“Asking the right questions”

“Measuring the effectiveness of the approach”



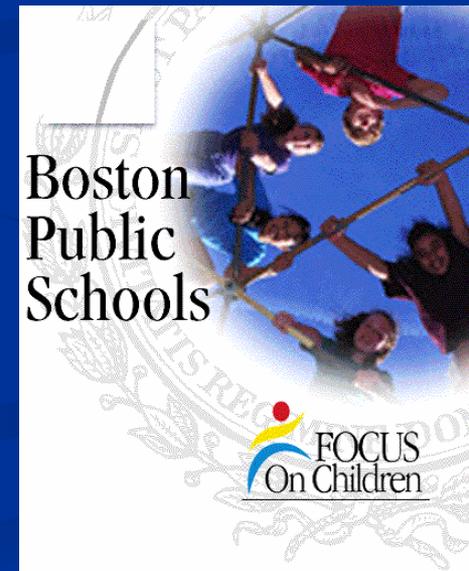
# Engagement

- Strengthened relationships with agencies
- Unified and coordinated presence at key stations before and after school
- Aims to reduce anonymity of youths
- Partners are committed to engaging youth in structured and positive interactions



# Engagement with schools

- School engagement is key
- Stopwatch has strengthened agency and police relationships with schools
- Processes established to improve communication about school activities and impact on transit system
- Increased participation of school administrators
- Incorporation of conduct on the MBTA into Boston Public Schools Code of Discipline for 2005



# Key Partners

- Boston Police
- Boston School Police
- Probation Department
- Mass Department of Youth Services
- Mass Department of Social Services
- Clergy
- Boston Center for Youth and Families
- Suffolk Law School Juvenile Justice Center
- Boston Private Industry Council
- School Administrators

# Engagement

- Stopwatch Team observe behavior of young people and identify interventions to prevent youth offending and victimization
- Agencies share intelligence to prevent and manage troublesome behavior
- Vulnerable and at risk youth are referred to agencies to get the support they need
- Agency representatives provided with training and free travel



# Meaningful casual conversation



# Keep it open and easy



# Education

- Communication of rules
- Program of school visits to educate young people about crime prevention and how to behave on public transport
- Education on potential consequences of criminal or inappropriate behavior
- THINK ABOUT IT! consequence cards issued to youth
- Informal education occurs on daily basis – *StopWatch* team dealing with issues as they observe them
- Crime prevention advice cell phones, iPods, jewellery etc...

# THINK ABOUT IT!

THINK  
ABOUT IT  
FIRST

## **THIS IS WHAT BEING ARRESTED MEANS:**

- Your fingerprints and photo are in the police database and can be used for photo arrays.
- Your court arraignment info is in the probation department database and can be used in the future.

## **YOUR ARREST COULD KEEP YOU FROM:**

- Getting your driver's license
- Getting your high school diploma
- Being admitted to the Air Force Academy, West Point, Marine Corps, U.S. Naval Academy
- Obtaining certain jobs
- Getting student loans for college (due to drug charges)
- Obtaining legal immigration status

## **THESE EMPLOYERS COULD GET YOUR JUVENILE RECORDS:**

- Summer camps
- Schools, youth programs, and day care centers
- State licensing agencies for cosmetology, nursing, social work, stockbrokers
- Nursing homes

Juvenile  
Justice  
Center



# Enforcement

- Use of school disciplinary mechanisms – generally more appropriate and proportionate
- Student travel passes can be withdrawn for violations of Code of Discipline
- High visibility and interactive police activities
- Arrests for criminal activity if appropriate
- Truancy patrols
- Police Awareness of the Impact of DMC
- Monitoring cameras



# Environmental Improvements

- Improvements made to transit logistics to reduce provocations - staggered release times
- Improved signage, station layouts and bus stop locations
- Bus schedules and services matched with school demand and youth requirements after school
- New construction mindful of youth transport designed for larger numbers
- Cameras and more cameras

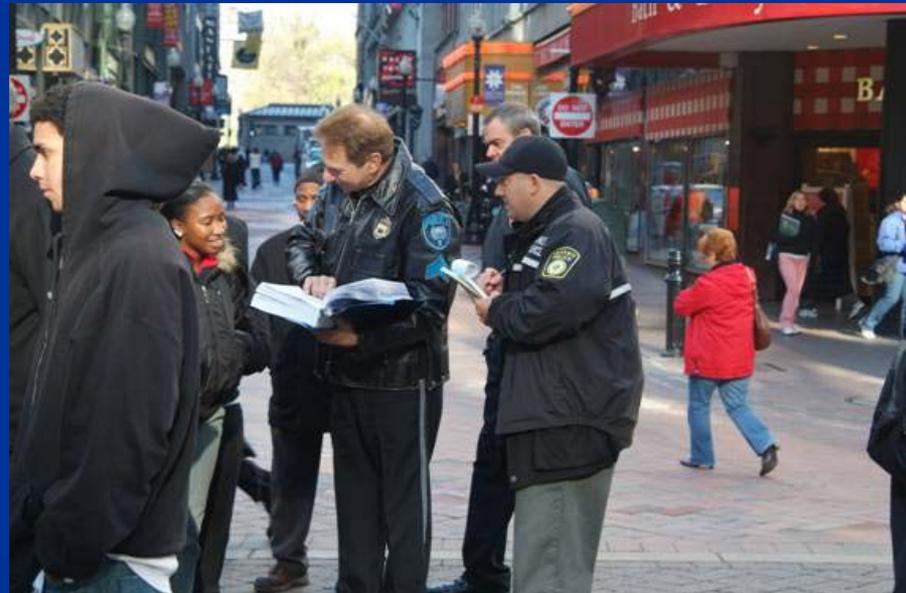
# ASSESSMENT

# Assessment

- Successful in reducing youth disorder
- Evaluated using various data sources
- Independent assessment of response activities
- Arrests are no longer the primary measure
- 81% reduction in juvenile arrests between 1998 and 2006
- More casual interactions needed to establish comfort zones
- Emerging issues identified

# StopWatch

- A success – fair and effective way of dealing with teen disorder
- Partnership approach is key
- Grounded in community dialogue and cooperation
- Helps to identify and address problems more quickly
- Builds on existing services within the community



# StopWatch

- Positive changes in officers' perceptions and improved morale
- Improved image for the MBTA and MBTA Transit Police
- Enhanced public trust and confidence
- Fewer complaints and significantly less lawsuits

# Changes in Officers' Perceptions

- Officers report feeling less alienated from the communities they serve
- “Bad” arrests more easily identified and reviewed
- Reduced arrests for status offenses
- Recognition that police departments cannot do it all; capitalizing on available resources instead of ignoring them

# Success Hinges on Valuable Partnerships

- Cultivate & nurture inter-agency relationships as well as those with youth advocates and service provider
- Recognize the partners (the more formally the better)
- Provide consistent communication
- Pool resources
- Share credit for successes and failures
- Look for charismatic leaders

# Improved Image of MBTA Transit Police

- Changes in Community Perception of MBTA Transit Police
  - Enhanced Public Trust and Confidence
  - Better press
  - Fewer complaints
- Changes in Juvenile Court Perceptions of MBTA Transit Police
- Changes in Other Law Enforcement Perceptions of MBTA Transit Police

# StopWatch Team

