



“For such a time as this”



**Independent Audit of the Canton Police
Department's Policies and Procedures,
Compliance and Adherence to the Rules and
Regulations**

April 5, 2025



5Si Introduction



- **It is important to note that the report produced by 5Si does not provide legal opinions on unresolved legal issues or is it an independent investigation on existing criminal cases involving the Canton Police Department.**
- All information reviewed for the purposes of the Audit was provided by the Canton Police Department, the District Attorneys Office, concerned citizens and Town Officials.
- 5Si's Audit Team reviewed all policy and procedures and analyzed the CPD's application of those policies.



5Si Tasking



- 5Si was tasked to conduct an **audit** of the Canton Police Department.
- 5Si did not arbitrarily select areas to audit.
- The areas covered in the Audit Report were selected and dictated by the Procurement Committee and specifically detailed over 8 pages in the scope of work.



5Si Tasking



Included in Assessment

- Assess the Canton PD written Policy and measure it against the Massachusetts Accrediting authorities
- Assess the application of Canton PD policy in recent investigations
- Identify and analyze deviations from policy
- Identify Gaps and make recommendations

Not included in Assessment

- Reinvestigation of any alleged crimes
- Gathering or collecting any new evidence
- Interfering or Impacting any ongoing criminal proceedings



Scope of Work



Project Objectives as outlined in the Request for Proposal:

Page 3 Paragraph 2 Stated: *The scope of services for this engagement includes, but is not limited to: an audit of Canton Police department (CPD) policies and procedures, and adherence to the policies and procedures; including Policies, Procedures, and Regulations; Crime Scene Protocols; Professional Standards and Accountability; Organizational Structure and Governance; Citizens' Privacy Protections; Management, Operations, and Culture; Hiring, Training Standards, and Equipment; Citizens' Complaints Process; Conflicts of Interest; Select Board Oversight and Industry Standards; Recommendations and Compliance Review; Recommended Improvements; Evidence Review; Police Detail Financial Review; Additional Administrative Items to Review; Civil Rights Review; and Presentation of Findings and recommendations.*

- **Page 3 Paragraph 4 stated:** *The community is interested to understand what the department is doing well, and more importantly, what the department could improve upon...*
- The Scope of work outlined the above areas of concentration over 8 pages.



Areas of Review



CPD Operations/Areas Reviewed

- **CPD Policy**
- **Crime Scene Protocols**
- **Professional Standards and Accountability**
- Organizational Structure and Governance
- **Citizens Privacy Protections**
- **Management, Operations and Culture**
- **Hiring, Training Standards and Equipment**
- **Citizens Complaint Process**
- Conflicts of Interest
- Select Board Industry and Standards
- Recommendations and Compliance
- Forfeiture Forensic Review
- **Evidence Review**
- **Police Detail Financial Review**
- Additional Administrative Items
- Civil Rights Review
- Disclosure of Legal Issues



5Si Methodology



- When feasible, the audit team scrutinized all documents, reports, and policies digitally.
- In instances where digital review was not viable, physical examination of these documents occurred on-site at the Canton Police Department.
- The audit team assessed the actions of the CPD against established policies and procedures.
- Observations / Findings and Applicable Recommendations documented.



Policies, Procedures, Regulations



- 98 Policies & CPD Rules and Regulations Assessed
- CPD Policies and their application weighed against:
 - Massachusetts Police Accreditation Compliance (MPAC)
 - Massachusetts Police Standards and Training Requirements (POST)
 - Massachusetts General Law (Mass GL)
 - Commission on Accreditation For Law Enforcement Agencies (CALEA)
- MPAC re-certification of the CPD in June of 2024
- 5Si utilized Mass GL/POST and CALEA as measuring sticks
- CALEA –Considered the “Gold Standard for Law Enforcement” is an international certification for public safety agencies
- 483 standards related to Law Enforcement



Policies, Procedures, Regulations



- CPD Policy and Directives meet or exceed all POST, Mass GL and CALEA requirements
- Some of the recommendations made to enhance existing policy or its application were:
 - CPD officers Personal Phone Use
 - Annual Certifications/Acknowledgments
 - Documentation Practices
 - Photographs
 - Crime Scene Preservation
 - Civilian Complaints
 - Cameras





Crime Scene Protocols



- The Audit Team Reviewed Police Actions at multiple crime scenes spanning the last ten years.
- Deviations of policy and investigative best practices existed as it related to the policies at various scenes.
- The Audit Team did not uncover any information suggesting intentional misconduct, or a conspiracy to conceal evidence or alter material facts in any investigation.



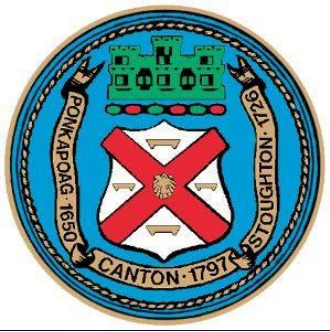
Crime Scene Protocols



- Mass GL- Part 1, Title VI, Chapter 38, Section 3, individuals must immediately notify the Office of the Chief Medical Examiner for deaths involving; criminal violence, accidents, suicides...
- CPD IS NOT RECUSED- Mass GL Part 1, Title VI, Chapter 38, Section 4 states: *"The district attorney or his law enforcement representative (Mass State Police) shall direct and control the investigation...and shall coordinate the investigation with... the police department within whose jurisdiction the death occurred"...*

Recommendations

- Crime Scene Preservation
- Interviews
- Photographs
- Documentation
- Evidence Collection Methods
- Coordination
- Ownership of Crime Scene / Coordination
 - Stop Recusing-
 - Recusal ≠ Integrity



Professional Standards and Accountability



- Internal Affairs (IA) = Professional Standards/Civilian Complaints/Officer Misconduct
- CPD Policy as it relates to Professional Standards is in alignment with POST/MPAC and CALEA requirement's
- Inconsistency in Policy Execution, Documentation and Process
 - Each IA had an appropriate outcome
 - The method of investigation for each IA was inconsistent
 - The documentation for each IA was inconsistent
 - This practice spanned the tenure of 4 Chiefs
- This Lack of Consistency opens the doors for questions/accusations



Professional Standards and Accountability



- The audit team reviewed 75 internal affairs investigations and disciplinary actions back to September 28, 1991
- These 75 actions resulted in:
 - 63 clearances
 - 12 acts of sustained violations, resulting in;
 - 4 suspensions, 1 demotion and 7 counseling/training sessions
- These IA's were the result of
 - civilian complaints
 - at the direction of supervision based upon performance/observations
- All POST requirements as they related to these inquiries and subsequent disciplinary actions were met.
- On February 3, 2023, the Executive Director of the Massachusetts Post Commission emailed the Chiefs and Sheriffs stating **only certain levels of sustained misconduct should be reported**, specifically, sustained misconduct of a serious nature was to be reported.
- CPD Chief Rafferty exceeded Massachusetts POST reporting requirements.



Professional Standards and Accountability



Sustained Allegations and Disciplinary Actions

Incident Date	POST #	Reporting Agency	Agency IA Number	Discipline (not administered reason)
Allegation #:	Disposition:	Allegation Type	Allegation Subtype	Allegation Details
Aiello, Alexander MPTC ID: 9999-9164 Certification Status: Certified Current Agency: Gloucester Police Department				
8/2/2022	00001666	Gloucester Police Department		Suspension: 1-5 days
A-00002824	Sustained	Other Misconduct	Other / conduct unbecoming	Core Values Violations
A-00002825	Sustained	Other Misconduct	Other / conduct unbecoming	Insubordination
A-00002826	Sustained	Other Misconduct	Other / conduct unbecoming	Disourtesy
A-00002827	Sustained	Other Misconduct	Other / conduct unbecoming	Improper Public Statements
Alberini, Christopher MPTC ID: 9997-1398 Certification Status: Not Certified Current Agency: Unassociated Officer				
11/28/2016	00004255	Ashland Police Department		Written Reprimand, Retraining
A-00006012	Sustained	Other Misconduct	Other / conduct unbecoming	advocating the concealment of information from superiors
A-00006013	Sustained	Other Misconduct	Other / conduct unbecoming	courtesy
A-00006014	Sustained	Other Misconduct	Other / conduct unbecoming	Truthfulness
A-00006015	Sustained	Other Misconduct	Other / conduct unbecoming	Issuing an unjust or Improper order
Albert, John MPTC ID: 9997-2790 Certification Status: Certified Current Agency: Cambridge Police Department				
5/4/2020	00005398	Cambridge Police Department	None	Suspension: 1-5 days, Written Reprimand
A-00007922	Sustained	Other Misconduct	Other / conduct unbecoming	Inappropriate and unprofessional comments on social media
8/5/1997	00005397	Cambridge Police Department	SI-1997-005	Suspension: 6-29 days
A-00007921	Sustained	Criminal Conduct	Crimes involving physical force	Assault and Battery
5/24/1993	00005396	Cambridge Police Department	LI1993-003	Suspension: 1-5 days
A-00007920	Sustained	Other Misconduct	Other / conduct unbecoming	Failure to appear in court
7/21/1992	00005395	Cambridge Police Department	LI-1992-014	Suspension: 1-5 days
A-00007919	Sustained	Other Misconduct	Other / conduct unbecoming	Failure to appear in court
Albert, Kevin MPTC ID: 9997-3096 Certification Status: Certified Current Agency: Canton Police Department				
7/19/2022	00008524	Canton Police Department	24-06	Other (3 (8) hour tours of punishment duty)
A-00015037	Sustained	Other Misconduct	Non-Minor Policy Violation	possession or use of alcohol
Alexander, Peter MPTC ID: 9997-6855 Certification Status: Certified Current Agency: Lynn Police Department				
10/24/2015	00004602	Lynn Police Department	NA	Written Reprimand
A-00006672	Sustained	Other Misconduct		conduct unbecoming

Two Cases: Correct outcomes inconsistent process

- Detective with family pet
 - Correct outcome
 - Consistent with civilian cases before and after
 - Process should have been more thorough
 - Final decision was consistent with precedent and appropriate
- Detective leaves Badge-Alcohol Consumption on Duty
 - Unnecessary Reaction
 - Non-Beneficial - Officer-Administrative Leave
 - Unnecessary Outsourced investigation (\$/Time)
 - Unnecessary Delay -3 Months vs 5 Days
 - Final Decision was consistent with precedent and appropriate



Professional Standards and Accountability



RECOMMENDATIONS

- All complaints must be handled the exact same way
 - Detailed process
 - **Document the Negative**
 - No Calls to the Chief/Deputy Chief/ or Officer
- Officers Should
 - Provide Complaint Form
 - Accept Complaint Form
 - Provide time stamped receipt to complainant
 - Forward to Deputy Chief
- Officers Should Not
 - Try to Mediate
 - Offer Suggestions/Responses
 - Calm or appease complainant



Professional Standards and Accountability



RECOMMENDATIONS

- Limit the Outsourcing of IA Investigations
- Assignment & training for Senior Lieutenant, Sgt and Detective for IA Investigation
- Completed investigations are to be reviewed by Deputy Chief of Operations for thoroughness and then forwarded Deputy Chief of Administration for Policy violations
- Completed investigation to include policy violations forwarded to Chief for Final Decision
- Any disciplinary action will be issued by Chief with Select Board concurrence as dictated in Town by Laws and Union Contract



Organizational Structure and Governance



- Paramilitary Hierarchical Structure
- Chain of Command is receptive and available to all officers
- Communication flows appropriately between patrol, detective and command divisions
- FOIA requests
- **Recommendations-**
 - The Department should continue /resume public safety notification
 - Additional Administrative Employees



Citizen's Privacy



- The Police Department is compliant with all laws and policy requirements as it relates to citizens data
- Computer data bases / Indices utilized by CPD contain their own electronic surveillance and safeguards
- Retainment of personal information is established by the MGL Table of Retention
- This is established in conjunction with the District Attorney and dictated by the type of investigation
- **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



Management Operations and Culture



- The Chief and the CPD Command Staff have the respect of their employees and law enforcement counterparts.
- The CPD effectively utilizes its resources as they relate to overtime for minimum staffing requirements and town commitments such as sporting events, holidays and elections.
- The culture within the department and amongst its officers as it relates to each other and their responsibilities is positive and centered on serving the community.
- The community relationship is fractured and affecting morale.
- Public comments specifically by Town Leaders in public forums, have contributed to the morale of the officers.
- **Recommendations:** Meetings between Town officials and police officers to candidly discuss issues



Management Operations and Culture



1:47
Matthew
of the end for you.

JUL 27 AT 1:20 AM

Let the process play out?
How about giving Karen
Read her life back. She has
had to pay hundreds of
thousands of dollars and
spent 2.5 years dealing with
Brian Albert's murder. The
best you guys can do to
help her is edit surveillance
camera video from the
Sallyport. You're a
disgusting corrupt bitch.
When you die, I'm gonna
piss on your corpse at your
wake. Better have a closed
casket.

JUL 30 AT 5:27 PM

- “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.”
- “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.”



Hiring, Training and Standards



HIRING

- CPD is a Civil Service Department
- Potential Candidates hired with approval of Select Board
- Recruits attend Municipal Police Training Committee Academy
- Upon Graduation Complete Field Training Officer Program
- One year of Probationary Status



Hiring, Training and Standards



TRAINING

- Training for recruits and FTO mandated by POST and MPAC requirements
- In Service Training for experienced officers is a budgetary concern
- Almost 70% of officers interviewed say they want more training
- Difference between being qualified and being trained
- **Recommendations**
 - Each officer receive an 8-hour allotment for additional elective training (in addition to annual certifications and requirements)
 - Allocate monies to address training deficiencies



Hiring, Training and Standards



Promotions

- 2024-Hanrahan Consulting was hired to perform assessment center testing for Sergeant and Lieutenant positions
- CPD takes the requisite number from civil service list utilizing the $2n+1$ formula for candidates
 - $N = \text{Openings}$
- A number of officers feel there should be a minimum of 5 years experience to promote to supervisor
 - (civil service laws require 1)
- **Recommendations**
 - Hiring additional civilian staff
 - Dispatchers / Intelligence Analysts
 - Administrative Assistants



Conflicts of Interest



- The Audit Team found no conflicts of interests among CPD officers and Town Officials. Further, no conflicts of interest have influenced police actions, criminal investigations, evidence gathering, crime scene processing, or the overall workflow of the CPD's daily operations.
- The Audit Team has examined records, FOIA requests, investigations, incidents related to mental health, civilian contacts, civilian complaints, and non-enforcement police contacts. We have not found any evidence suggesting the existence of a conflict of interest in any of the mentioned areas that was not disclosed.
- CPD daily operations have been hindered by excessive and unnecessary actions taken to prevent any appearance of conflict/impropriety. (Unnecessary Voluntary Recusals)



Conflicts of Interest



- The Audit Team found no instances of cases being referred to the Attorney General or State Police due to conflicts of interest.
- The Sandra Birchmore and John O'Keefe investigations were controlled by the State Police in line with Massachusetts law Title VI, Chapter 38, section 4.
- Any CPD recusal was voluntary demonstrating a commitment to transparency amid public scrutiny.
- While the CPD's voluntary recusal reflected ethical standards, it also led to lapses in the timing and securing of the crime scene, managing witnesses, sharing information and documenting statements.
- **Recommendations**
 - Limit Voluntary Recusals to the most extreme situations



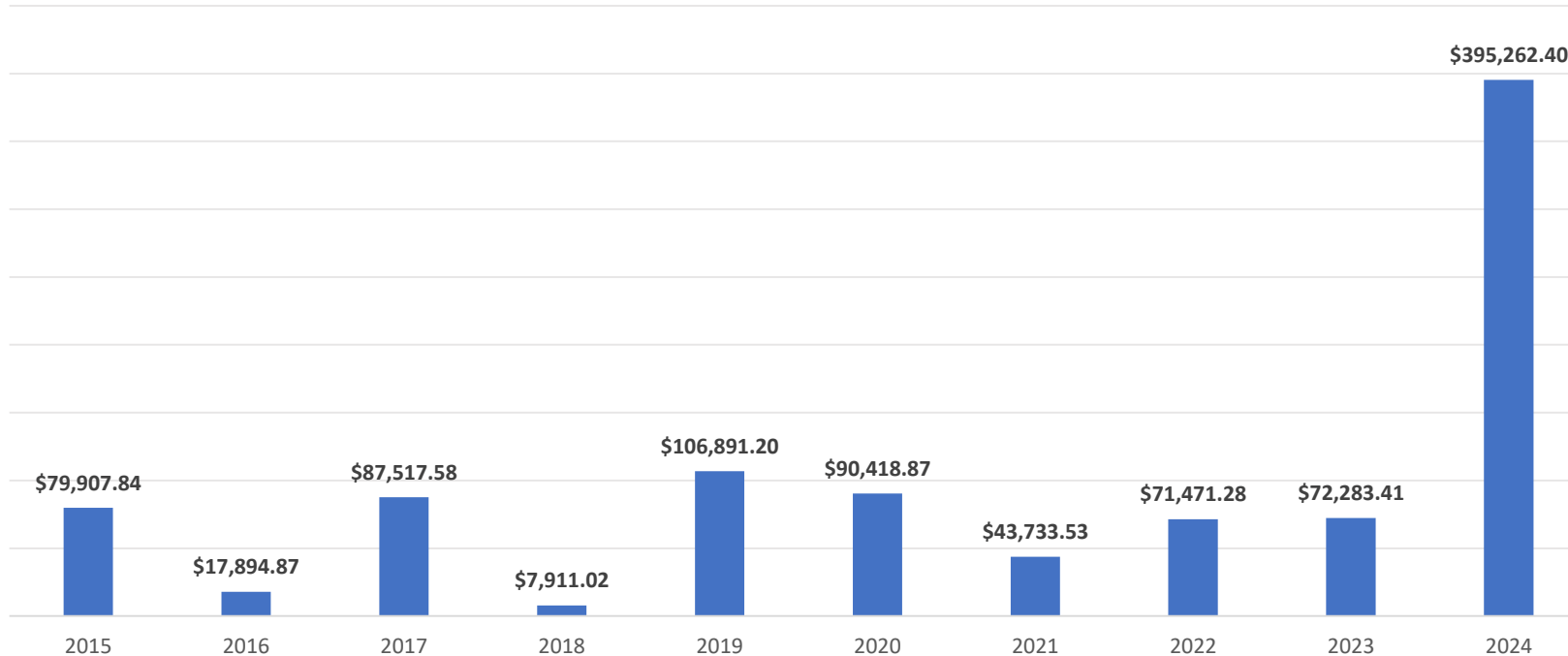
Select Board Oversight



- The Canton Select Board, as outlined in the charter, functions as commissioners with direct oversight of the police department.
 - No Influence on Promotions
 - Approve New Hires
- No designated primary point of contact from the Select Board.
- The Select Board is responsible for the budget, formulation and promulgation of policy directives and guidelines.
- Town Communications- The Audit Team reviewed email communications of Stakeholders and the CPD Leadership. One Select Board member has had regular communications and has requested monthly meetings with the Chief.



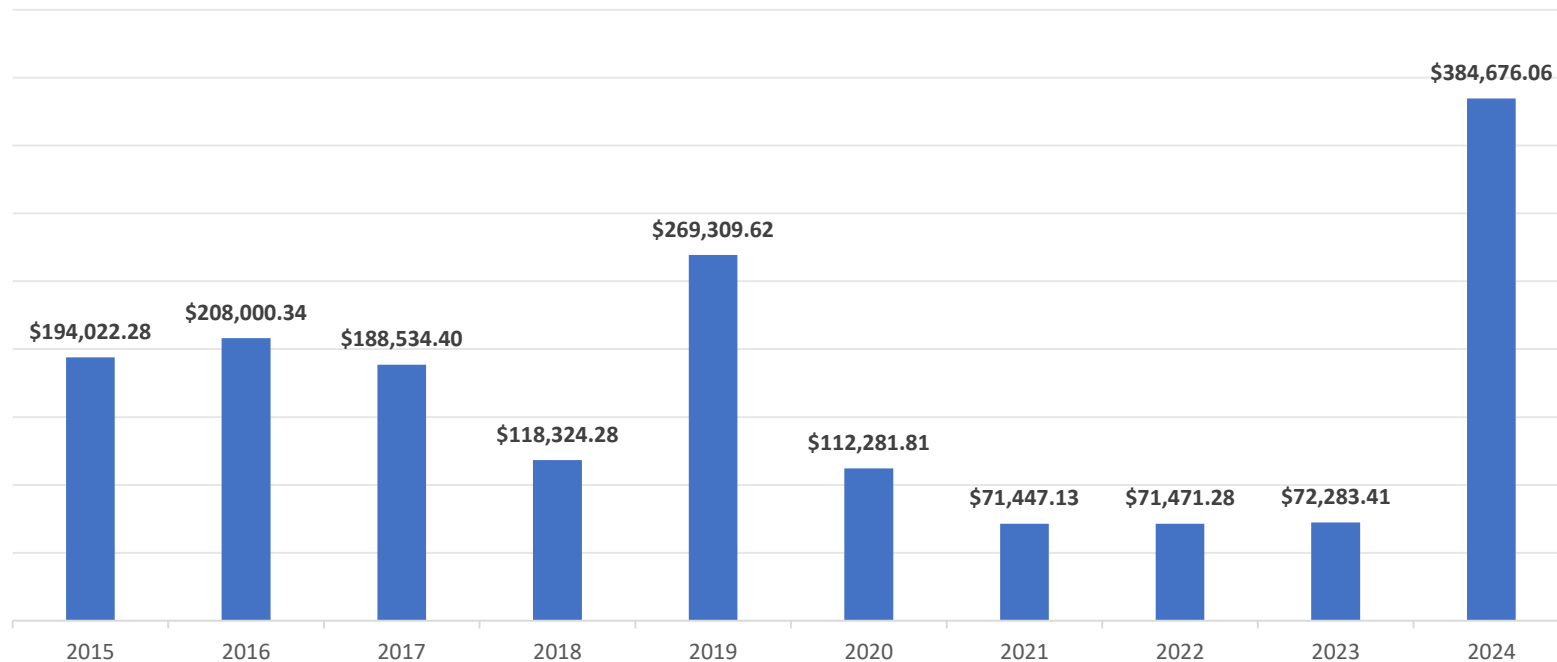
Financial Audit Asset Forfeiture Fund (AFF) Monies Received



- Totals above represent shared proceeds from the DOJ Asset Forfeiture Fund (AFF).
- CPD has one officer assigned to a DEA Task Force
- From 2015 through 2024 CPD received over **\$1.8 million dollars from DOJ asset sharing**
- CPD complied with the equitable sharing guidelines



Financial Audit AFF Expenditures



- During the period of October 1, 2023, through September 30, 2024, CPD received **\$381,156.30**
- 2024-**\$375,495.66** of equitable sharing funds were spent on salaries (Staffing minimum-overtime)
- Additional monies spent on Law Enforcement Equipment.
- CPD complied with the equitable sharing guidelines.
- **CPD cannot rely on AFF Sharing**



Financial Audit Police Details



- Total amounts for CPD details from 2020-2024: **\$5,309,649.33**
- Total amount outstanding of \$91,074 is **approximately 1.3%** of the CPD's billable services for that same time frame
- The department collection rate is just under 99% for the monies owed. Since the inception of the audit reimbursements continue to come in and the outstanding balance for details worked is approximately \$17,000 (or .32%)

Fiscal Year (FY)	Detail Spend
FY 2020	\$1,088,293.47
FY 2021	\$900.915.16
FY 2022	\$785,563.44
FY 2023	\$884,392.72
FY 2024	\$662,727.66
Total	\$4,321,892.45

CPD Private Details

Fiscal Year (FY)	Detail Spend
FY 2020	\$137,015.45
FY 2021	\$237,462.24
FY 2022	\$173,639.96
FY 2023	\$187,487.47
FY 2024	\$242,151.36
Total	\$987,756.88

Town Details



Evidence Collection



- A review CPD investigations revealed sporadic deviations from CPD policy as it relates to documentation and collection
- External factors must be considered
- Documentation standards varied
- Photographs of crime scenes
- Blood Evidence Collection kits were not available in the CPD in January 2022
 - CPD does not Process Crime Scenes- Plymouth/MSP



Evidence Collection



➤ Leaf Blower





Independent Study



Innovative Techniques for Collecting Snow Impression Evidence

James Wolfe

Justice Center, University of Alaska, Anchorage, Alaska



Determining Direction of Travel with Tire Impressions

Direction of travel can be critical in reconstructing scenes at the crime scene and in determining which tires are right and left. "Shuving", "Snow Wakes" and directional tire tread can help with this.



In certain snow conditions, snow "shuving" produces a ledge of snow that typically points away from the direction of travel.



"Snow wakes" occur in certain snow conditions and point towards the direction of travel.



Directional tire tread can give an indication of front vs rear (assuming they were installed properly.....)

Locating Buried Snow Impressions

Newly fallen or windblown snow may cover older impressions. A portable battery powered leaf blower can be used to blow away loose snow from the original impression.



If the new snow is light and powdery, it is possible to carefully blow it off of the older, compacted impression.



Upper Photo: Tire impression partially cleared with leaf blower.

Lower Photo: Tire impression completely cleared with leaf blower.

Coatings for Photography



Clearing snow impression photography typically requires some type of contrast enhancement. This can be done by coloring the impression with spray paint or dry powders, using oblique lighting, or a combination of both.

Gray spray primer has been regularly used in Alaska, and it also works well for coating the impression for dental stone casting with cold (<-10C) snow. Once the snow has been sprayed, protect the impression from the sun to prevent melting.



Original impression with ambient light

Impression sprayed with gray primer with ambient light

Impression sprayed with gray primer using oblique light

Photographing Slush or Ice Impressions

The inconsistent nature of slush and ice requires the surface of the impression to be coated. Spray paints do a good job of coloring slush and ice, however a snowprint was done a better job of sealing slush impressions for casting.



Comparing gray primer and orange marking paint on a slush impression.



Snowprint wax on a slush impression.

Casting with Dental Stone

Casts representing the detail present in snow impressions can be made using either dental stone or sulfur cement. The decision on which technique to use should be based on the supplies on hand, the investigator's experience and the type of snow composing the impression.

Dental stone casts at warmer temperatures require the snow impression to be coated with either a spray or powder to prevent the casting mixture from leaking through the snow grains and to help minimize melting of detail.

Coating the dental stone and the mixing water will help avoid melting the impression. Using 1 tablespoon of potassium sulfate per cup is needed to speed up the hardening of the coated dental stone. At cold temperatures (<-10C) the cast will freeze before hardening. Careful thawing indoors will allow the cast to harden.

Placing a thicker mixture of dental stone will limit leaking through the snow grains.

Casts in warm -1C fresh snow



Dental Stone with sifted dental stone coating

Dental Stone with gray primer and snowprint wax coating

Sulfur Cement

Using gray primer at -25C vs -3C



Coating Guidelines for Dental Stone Casting

Warm Melting Snow > 5C

Lots of free water is present - use snowprint wax, spray paint with dry powder coating

Warm Snow usually > -5C to 2C

Some free water is present - use snowprint wax, heavy marking paint, dry powder coating

Cold Snow usually < -5C

No free water present - use spray paint

Really Cold Snow < -20C

No free water present - use spray paint

Sulfur Cement - A Replacement for Pure Sulfur Casting

Sulfur cement is a windward modified sulfur material that is a safer, stronger alternative to using pure sulfur in casting snow impressions. It is melted, coated and then poured in the manner as pure sulfur. With practice, a completed cast can be made in less than 15 minutes.

Sulfur cement is an industrial material available in a 50 lb bag. Source: Bassett Sulfur Cement No. 600, Sauerstein Inc., Pittsburgh, PA.



Sulfur Cement vs Pure Sulfur

Flexural Strength	
Sulfur Cement	1,570psi
Sulfur	200psi
Compressive Strength	
Sulfur Cement	9,000 psi
Sulfur	2,000 psi
Dental Stone	9,000 - 14,000 psi

Sulfur cement is not regulated for shipping - OK to mail



Melting Sulfur Cement Melting Pure Sulfur

Casting a tire impression using Sulfur Cement





Evidence Storage



- A complete inventory and detailed audit was performed by an independent audit team from Pomeroy Resources Inc. in October 2024.
- The CPD has started in conjunction with the town to implement all recommendations.
- The evidence storage areas are under strict video monitoring with electronic access, digitally recorded, and maintained by the Town Administrator.
- Surveillance footage of evidence access areas can be reviewed, but not altered by CPD.
- The Audit Team on 3 different occasions, one of which was unannounced, conducted random inventory checks of exhibits (16,000 exhibits on site) found no discrepancies.
- The Audit team found that the CPD has complied with or has started the process in conjunction with the town to implement all prior recommendations.



Recommendations



Questions?