

# Assessment and Process Suggestions for the Town of Arlington

## Background

In October 2018, the media brought to light a series of hateful columns that had been written by an Arlington Police Department (APD) Lieutenant and published in the Massachusetts Police Association (MPA) newsletter. In response, the APD and Town placed the officer, Lt. Pedrini, on immediate paid administrative leave, and made the decision to engage in a restorative justice process, under the guidance of the non-profit Communities for Restorative Justice (C4RJ). After undertaking the restorative justice process, which consisted of multiple meetings of two different groups of stakeholders (known as “circles”) and resulted in a restorative agreement, Lt. Pedrini returned to work, on April 14 2019. Lt. Pedrini’s public apology was posted on May 2.

Throughout the process, a number of residents raised concerns about many aspects of the process and its outcomes, and some took steps to convey their dissatisfaction and preferred responses through social media, reporting, meetings, and a petition. Meanwhile, the town was exploring a range of actions and approaches to implement the restorative agreement and address the broader systemic issues raised by the incidents, including further community dialogue and engagement to advance healing in the community (as required of Lt. Pedrini by the restorative agreement that resulted from the process.) In this context, the Town of Arlington enlisted support from the [Consensus Building Institute](#) (CBI) to speak with a subset of concerned residents and affected stakeholders, and offer recommendations for how best to move forward to foster healing, safety, and trust.

## Methodology

The scope of this process was deliberately small, in order to work efficiently and expeditiously. CBI began by engaging in a limited set of confidential small-group conversations with residents and officials who had been identified, or self –identified, as previously involved in or most concerned about this matter. This consisted of a total of 22 individuals, including some of the residents who had directly reached out to the town to raise objections and concerns, as well as the Town Manager, Acting Police Chief, a few members of the Human Rights Commission, and several community participants of the Restorative Justice circle. All interviews took place between June 28 and July 24.

The purpose of these conversations was to understand the concerns, hopes and suggestions of the people most involved and most concerned, in order to recommend processes and jointly acceptable actions that the town might undertake to repair the harms caused by Lt. Pedrini’s writings, re-establish a sense of safety and trust, foster community healing, and build toward a more inclusive, positive future. In the conversations, CBI asked participants questions about their:

- background connections to the process and issues
- perspectives about how things have unfolded to date
- suggestions regarding outcomes they hoped to achieve
- thoughts about process for moving forward

Please note that the findings in this report and the suggestions for next steps are drawn from the handful of people we spoke with, consisting particularly those most vocally dissatisfied with the

current situation, and therefore does not necessarily represent the viewpoints of all residents or nor the specific groups targeted in Lt. Pedrini's writings. While some interviewees spoke about the views of their friends, neighbors, and constituents with whom they had spoken on these issues in addition to sharing their personal views, the perspectives described in this report should not be assumed to encompass or represent the views of residents as a whole. The findings section of this report was shared in draft with all interviewees, with a request to share inaccuracies, mischaracterizations, or omissions of their own perspectives, and revised based on that feedback and CBI's discretion

During the time this assessment was underway, additional actions have been taken by community members and town officials, such as: the request for and release of public records about Lt. Pedrini, the RJ process, and the aftermath; additional reporting in local newspapers about the situation; an Open Letter published by the Town Manager, and; a discussion about that letter at a Select Board meeting. A subset of the concerned residents involved in this assessment have collectively continued to communicate their concerns, which have intensified as they reviewed additional records public records and additional town responses have not met their expectations. While clearly related, and added here to a limited extent, the full enumeration of all of these concerns exceeds the scope of this assessment. A more comprehensive description of the views and concerns of this citizen group in their own words can be found [here](#).

This assessment was conducted by Stacie Nicole Smith, Associate Managing Director at CBI. Any errors or omissions are the sole responsibility of CBI<sup>1</sup>.

## **Findings**

Interviewees named a range of concerns about the process used by the Town to respond to Lt. Pedrini's writings, the outcomes of that process, and the current situation of trust and safety in the Town. Interviewees described what they hoped to happen now, and were also asked to share their thoughts and suggestions about collaborative process for going forward. While the suggested actions draw from the ideas of all interviewees, one set of stakeholders have developed a prioritized list from their perspective, which can be viewed [here](#). This section attempts to categorize and summarize the nature of these concerns, requests, and suggestions.

### **Transparency, Clarity, and Trust**

Because of the confidential nature of the C4RJ restorative justice process implemented by the town, the public had limited information about the process, its participants, or its outcomes. Many people raised concerns about the lack of clarity and transparency about the Restorative Justice process, outcomes, and aftermath. Interviewees began with many questions about how, when, why, and by whom decisions were made, the roles and responsibilities of different players, what criteria were used, and what the timeline actually looked like. Given the absence of public messages, many people had missing or conflicting information about what had happened and why, who was involved in what capacities, and many questioned the basis of decisions. While town officials responded to requests to talk with individuals who had questions or concerns, very little information was shared more broadly. Interviewees felt that people were told different things at different times, which raised

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<sup>1</sup> Please note: A set of stakeholders have raised objections about the selection of CBI to conduct this assessment, asserting concerns about prior work with the town and what they saw as a lack of racially diverse leadership or specific focus on racial justice matters. Ms. Smith is also an Arlington resident and Town Meeting member.

questions about truthfulness and motivation. Those who conducted or reviewed additional research and public records requests raised concerns that there was not full disclosure about how decisions were made or Lt. Pedrini's past record. Most felt that the town should have communicated to all town residents more consistently and clearly.

In August, the Town Manager responded by publishing an [Open Letter](#) to provide further context and details about the decision-making and RJ process. While this occurred after my interviews, a set of interviewees reached out to express strong dissatisfaction with the information, accuracy, and tone of that letter. For some, the concerns about the town's decision-making process, rationale, and responses to criticism have now become a central focus of concern.

During (and since) discussions, interviewees offered the following requests and suggestions:

- Provide transparent and consistent clarification of what happened, when, and by whom, including the rationale (and any data) behind decisions
- Acknowledge mistakes and offer apologies
- Waive confidentiality and make public the full details of the RJ process and the restorative justice agreement
- Offer an opportunity to jointly examine the range of options for going forward – for example, bring together a group or the public with a mutually trustworthy labor lawyer to answer questions and explore the potential viability and pros and cons of possible next steps

### **The Restorative Justice Process**

Many interviewees questioned or disagreed with the decision to pursue restorative justice (RJ) for this offense. Some felt that the nature of the offense and stakes involved – e.g., an armed police officer condoning excessive use of force – made anything other than termination unacceptable. While some interviewees accepted that the risk of a termination being overturned justified the decision, others disagreed about this risk, and/or believed that the risk of overturn was worth taking – e.g., that sending a clear message that Lt. Pedrini's actions were unacceptable was more important than the risk of failure to uphold the termination.

Concerns were also raised about the structures for making decisions about the process, and the lack of a forum for community concerns. Because the situation was treated as an employer/employee matter, the formal authority for decision was left to the Town manager, with no avenue for input from Town officials, relevant committees and commissions, affected groups, or members of the community at large. This framing led the town to require that the RJ process observe Human Resources rules about confidentiality, which many interviewees felt was incompatible with a restorative justice approach given the very public impact of the offense and the harm. They felt that because the circles and restorative agreement were confidential, the goals of restoring community trust and repairing the harm done to the community could not happen through this process.

Interviewees also raised extensive concerns about almost every aspect of the RJ process itself. They questioned the framing of who was harmed (the reputation of the APD, or the people and groups being targeted?); the representativeness of the participants (were authentic representatives of all of the targeted groups involved?); the decision to convene a first circle with only town officials or police first, and only afterwards convene a second circle, with a lesser role; the range of credible potential outcomes on the table (did termination remain an option?), and the criteria used to

determine “success,”; the lack of a closing circle and more engaged decision-making by community stakeholders; the effectiveness of the facilitator; the secrecy around the contents of the restorative agreement; the lack of clarity over who was responsible for guiding the implementation of the restorative agreement, and; the sufficiency of the process and especially the outcome to actually address the offense. While the second circle did include representatives of some of the targeted communities, and Lt. Pedrini was given more than a hundred impact statements submitted by people who felt targeted and/or hurt by his statements, many interviewees felt that this was not sufficient, and that proactive and direct outreach to members of all of the targeted groups within Arlington (in a culturally appropriate manner) was a necessity.

Some interviewees who had been part of previous RJ processes felt concerned that this process did not follow C4RJ's standard process, did not have people who were experienced with RJ guiding the implementation of the restorative agreement, and prioritized HR concerns over the RJ focus on healing harms, and thus damaged the reputation of RJ more generally. Since Lt. Pedrini's apology was the only outcome of the process that was made public (prior to the Town Manager's recent letter), many people judged the effectiveness of the process based on that, and most of those interviewed felt the apology was insufficient and should not have been deemed responsive.

Many interviewees recognized that the process was over, and changes at this point could be difficult or legally uncertain. However, almost all felt that the flaws in the decision, design, and process were significant if not overwhelming.

Interviewees provided the following range of requests for moving forward:

- Undo the RJ decision – re-evaluate the process and outcome and deem it unsuccessful
- Convene a public version of the RJ process – conduct a new set of circles in public and open to all residents who felt harmed. Include proactive outreach to include the voices of under-represented groups who might fear public participation in the process
- Amend the restoration agreement and require a revised apology to better match community expectations
- Open a new case against Lt. Pedrini based on prior articles or other misconduct that has come to light
- Acknowledge that the decision to use RJ in this case was/may have been a miscalculation, and that the implementation of the process was flawed
- Going forward, set transparent and measurable procedures and standards (with input from the community) for when and how the town and its departments choose to use RJ for town employees.

### **Community Safety**

For many of the people I spoke with, the foremost concern was with the safety of residents and visitors to Arlington, given their distrust of both Lt. Pedrini and for some by extension, the Arlington Police Department. Most of the concerned residents who have gotten involved in this issue say that they did so out of a real fear that the attitudes expressed in Lt. Pedrini's writings made him a real danger to any constituents that he targeted in his writings. Some reported personal fear of reprisal for speaking out about this situation, and of the danger of what they saw as having an angry, unrepentant police officer on the streets with a gun. Interviewees raised particular concerns about racial minorities, substance users, people with mental health or intellectual disorders, undocumented

immigrants, and other marginalized groups that might be forced to interact with the police, but many also felt concerned about unfair or unsafe treatment for those with progressive political beliefs, left-leaning bumper stickers, or known community activism. Some raised additional concerns about what they saw as a pattern of inappropriate behaviors described in the records that were made public. Most found assurances from APD and town officials about Lt. Pedrini's repentance or safety to be unconvincing and defensive (for a few, such statements felt naïve or offensive). Some named the close or familial relationships that Lt. Pedrini had with others at the APD. The primary sentiment from interviewees was that substantially more demonstration of remorse, understanding, and honest attitude change – in addition to penance and reparation – would be needed before they could feel that the community was safe with Lt. Pedrini, and some felt that there was no safe solution other than removing him from public duty. Town leaders stated their agreement with the calls for additional steps to rebuild the community's trust and sense of safety in the APD as a whole and with Lt. Pedrini in particular, and expressed eagerness to do so. They did note, however, that from their perspective, neither termination of Lt. Pedrini's employment nor removal of his service weapon are viable legal options.

Some interviewees also spoke about their concerns about community safety under others in the APD and the APD as an institution. Many people spoke positively about the strong leadership and reputation of former police chief Fred Ryan and the force he oversaw, and reported that their earlier sense of pride and security had been shaken by these events. Given Lt. Pedrini's seniority, leadership, and affiliations and relationships with so many others in the department, some questioned how someone holding such extreme and vile views could have flourished if no other officers had similar, or at least sympathetic, views. Others worried about the impacts of this whole situation on police attitudes and morale, and felt that healing and rebuilding of trust was needed between the community and the whole department.

To move forward, interviewees suggested the following actions – parentheses indicate additions/alternatives to the suggestions for some interviewees:

- Seek external legal advice about the potential to terminate Lt. Pedrini's employment
- Keep Lt. Pedrini on administrative duty, indefinitely
- Keep Lt. Pedrini on administrative duty until sufficient additional repairs are made and public confidence is rebuilt
- Require Lt. Pedrini (and the APD) to participate in extensive and on-going anti-bias and cultural sensitivity trainings
- Require Lt. Pedrini (and the APD) to engage in on-going cultural outreach and meetings to listen to and understand the lives of the communities targeted in his writings (outreach, listening sessions, etc.)
- Require Lt. Pedrini to submit a retraction of his columns for publication in the Sentinel and resignation from the MPA Executive board
- Require Lt. Pedrini to demonstrate the impacts of his cultural competency, anti-bias, and community engagement experiences to the public as a whole
- Ensure Pedrini fully divests from the MPA (as noted by Chief Ryan)
- (If or until trust is rebuilt), limit the role of the APD in working with marginalized communities, such as homelessness and opioid outreach and treatment, policing AHRC meetings, etc.

- Review APD policies to ensure officers are educated and that violent, biased, and racist attitudes are not tolerated
- Provide additional leadership training for the Police Chief
- Provide training and/or support for police on managing trauma and stress
- Create a civilian review board or other community based entity to advise on community-police relations
- Compile, evaluate, and implement best practices for addressing bias and racism in police and civil service
- Develop additional community/police relationship building and educational opportunities – including to rebuild connection and trust between the community and the police, with help from experts who specialize in issues of racism and police misconduct cases
- Mandate all police officers to meet with a community group and/or resident (especially immigrant, recovery groups, other cultural groups and faith communities) for the purpose of relational building and community engagement, and publically report learnings.

### **Community Harmony and Healing**

As this process has unfolded, it has raised significant tension and division within the town. Several interviewees expressed strongly negative beliefs about the individual characters and behaviors of others, and some felt subjected to unfair hostile judgment or assumptions about themselves or others. Many reported feeling marginalized, harassed, or targeted by other residents who held different views. For some, the situation has also led to strong mistrust and lack of confidence in the town and APD leadership, which has continued to intensify without responses they deem adequate. A few interviewees observed that so many of the parties involved in this issue are suffering, and hoped for a tone of compassion, shared responsibilities, and shared commitment to moving forward together.

The friction is evident in the controversy around the role of the Arlington Human Rights Commission (AHRC), which was invited to participate in the RJ circle and ultimately voted not to do so. Absent designated public forums for residents concerned about the process to express their opposition, meetings of the AHRC (and to a lesser extent the Diversity Task Group) have absorbed protests, heated public comment periods, and high levels of conflict. Interviewees held a range of perspectives on the mistrust, uncertainty, misunderstanding, and animosity that has developed around the role, responsibilities, and responses of the AHRC, though most noted a need for dialogue and/or action to address these tensions, both in the town and with the AHRC itself.

Some also noted that this situation has brought to the fore the broader issues of racism and polarization in society, playing out in the microcosm of their town. Because Lt. Pedrini's writings were published in a statewide publication, some feared that this RJ process might create a precedent for other towns. Many interviewees noted that the voices and perspectives of individuals within these marginalized communities had not been adequately engaged, or engaged at all. In this context, most interviewees were pleased to see that the town sought to hire a Coordinator of Diversity and Inclusion, and wanted to make sure that the role was thoughtfully developed, recruited, and selected. Some felt strongly that the failure of town and APD leaders to publically label Lt. Pedrini's words as racist undermined the potential for meaningful change. A few felt that this current struggle could be used as an opportunity for the town (government and residents) to reinforce and strengthen its

values of tolerance, inclusion, and safety for all, and engage other town departments, commissions, and institutions as well as the community as a whole in the journey toward a more just society.

Some suggestions from interviewees about ways to foster community-wide healing and commitments to inclusion and justice included the following:

- Make the vision and town values explicit on the home pages of all publications and town websites
- Develop (with community input) a legally-enforceable “Code of Conduct,” including a media/social media policy, for all civil servants in Arlington to ensure that town employees can be held to a high ethical standard
- Hold community dialogues on diversity, bias, inclusion, safety, and justice, guided by professionals with deep experience and expertise in racial equality
- Build capacity for, encourage, and re-enforce the need for civility and ground rules in conversations about challenging public issues
- Provide anti-bias and cultural competency training for town leaders, town departments, town meeting members, and the public at large
- Revise terms of reference, mandate, and requirements for the AHRC to make them more independent and effective watchdogs against bias and human rights abuses
- Extend the deadline for applications for the Diversity and Inclusion Coordinator, make sure the position is widely advertised, that top candidates have extensive experience working with diverse communities (including communities of colors, those of lower incomes, with disabilities, and speaking languages other than English), and that diverse and neutral parties are involved in the hiring decisions
- Fund positions for community engagement specialists to strengthen outreach and support for Arlington’s marginalized communities, using culturally appropriate engagement and inclusion efforts, to learn about their needs and offer safe ways to raise complaints and concerns
- Send a clear message to all that the attitudes expressed in Lt. Pedrini’s writings are racist and unacceptable
- Build partnerships between government and civic sector and marginalized groups (meet monthly) to collaborate, advise, report, and guide decisions affecting community values and to be called on in times of crisis.
- Establish a peace commission (like Cambridge)
- Propose a binding resolution for Arlington to be a Sanctuary City

## Recommendations:

Based on the findings above, our analysis, and our experience, we believe that the town should move forward with several community and stakeholder processes to respond to the concerns of residents and advance healing in the community. Given the range of issues raised, and the importance of targeting engagement to meet very specific objectives, we suggest the town pursue two distinct processes, each with clear structures, goals, and methodologies.

The needs that the town could address through collaborative engagement moving forward include:

- 1) A community process to further the restoration of trust and repair of harms from Lt. Pedrini's writings, and;
- 2) Collaborative engagement to develop new policies and structures to promote racial justice and the values of respect, safety, and inclusion for all Arlington residents.

We also note, there may be actions among those suggested by interviewees or that help address the underlying concerns, within the discretion and authority of the town, that they wish to implement immediately (given the time-lag of this report, some of these are already underway.) Such moves could help rebuild confidence in town leadership's sincerity and commitment to addressing the concerns of residents on these issues. Similarly, there may be actions that concerned residents might wish to take (or refrain from taking, at least in the short term) in order to foster the potential for mutually acceptable outcomes, without compromising their core interests and values. Furthermore, our hope is that successful implementation of the above tasks, joined in good faith by all parties, can help to widen the opportunity for rebuilding trust and relationships where they have been frayed.

Each of these processes should be convened or sponsored by an existing town entity, perhaps supported by an additional ad-hoc planning team, with the proper authority and resources to undertake the process. The following section lays out suggestions for how the town might move forward with implementing the components named above.

1. **Develop and continue the restorative process for Lt. Pedrini with community and targeted groups.** Although the town completed a restorative justice process that resulted in Lt. Pedrini's return to work, the process did not repair harms for or broader Arlington community and the restorative agreement from that process calls for him to participate in further community dialogues. In this context, we recommend that the town develop and implement a public, community-based restorative process, framed around repairing harms to those targeted in his writings and restoring the community's trust. This process might have multiple components – not all but at least some of which would include broad public involvement. The following offer some suggestions on how this might be accomplished:
  - Because this would be a continuation of the restorative justice process initiated under the auspices of town manager, we imagine that it would be convened by town administration. If the town's new Diversity and Inclusion Coordinator is in place, they could serve as the lead process manager. In addition, we recommend that a planning team draw from additional town staff as appropriate, as well as liaisons from town committees (e.g., AHRC, Diversity Task Group), with input from other community leaders with expertise or diverse perspectives to contribute as needed.



- To ensure that the process is expertly designed and managed, the town should enlist support from an experienced, culturally competent, and highly skilled process designer/facilitator with knowledge of restorative justice, policing, community engagement, and race and equity.
- The specific goals and measures of success should be articulated upfront, with clear indicators or methods of evaluation. These should be based in the principles of restorative justice, such as accountability, respect, inclusion, repair, and reintegration, and might be measured with evaluations from participants, among other approaches.
- The process should include culturally appropriate engagement of members of marginalized groups in Arlington in order to ensure that their voices are heard, while protecting their safety. This may include proactive outreach and opportunities for anonymous or confidential participation.
- The goal would not be to re-litigate the decision to pursue restorative justice for Lt. Pedrini nor revisit the official determination to return him to work – decisions about personnel matters would remain under the sole discretion of town officials, consistent with labor laws. Nonetheless, the town should clarify what they see as the range of potential outcomes and actions that might be available, and seek to transparently and collaboratively address conflicting or disputed interpretations. We recommend that town leadership seek to be open to next steps to the extent compatible with their legal constraints.

**2. Develop additional structures, policies, and actions for the town to ensure that Arlington and its employees live up to the values and aspirations Arlington residents.**

Beyond the specifics of Lt. Pedrini, residents and the town both see an opportunity to grow and improve for the future. We recommend the town implement a separate community process designed to elicit, evaluate, and decide on a range of actions that the town might pursue in order to prevent and address future incidents and build additional competence to live up to the high aspirations of its residents. The focus would be on developing concrete and tangible outcomes that will make Arlington more just, safe, respectful, and equitable.

- Given the mission of Envision Arlington, and particular focus of its Diversity Task Group, it may serve as the institutional convener, with participation the AHRC, the town manager, the Diversity and Inclusion Coordinator, and additional town staff as appropriate, with input from other community leaders with expertise or diverse perspectives to contribute as needed.
- To ensure that the process is expertly designed and managed, the town should enlist support from an experienced, culturally competent, and highly skilled process designer/facilitator with experience in consensus building and community engagement around issues of race, equity, and justice.
- This process might start with the development of a vision or set of principles (beyond the town goals set through the work of Envision Arlington) that articulate what the town expects and aspires to for its employees and residents to promote respect, safety, inclusion and justice for all. They might also identify specific challenges that the town faces around these goals. Participants might then brainstorm potential mechanisms or actions that the town might implement to support its values and overcome its challenges. Lastly, participants might evaluate and prioritize these actions.

- The process might involve multiple sessions – for example, 1 2-hour meeting for each of the three components mentioned above – which would allow for synthesis of initial input as a starting point for the next steps, as well as opportunities for community members who could not attend to share additional input via email or web forms.
- Suggestions by interviewees documented in the “Community Harmony and Healing” section of this report, as well as those focusing on the APD or community as a whole (rather than on Lt. Pedrini specifically) in the “Community Safety” or other sections, might serve as starting point ideas for further exploration and evaluation by the community. This process might also seek to clarify guidelines for the use of restorative justice going forward.
- The end result could be a set of prioritized actions that can then be brought to the appropriate town bodies – town administrators, the Select Board, Town Meeting, and specific town departments and committees – to support and implement.

Lastly, the interviews pointed to a few other process needs that the town might pursue.

- Interviewees also highlighted a need for dialogue between the APD and the many residents of Arlington, as well as an avenue for community conversation about racism, discrimination, and marginalization. The goal of such conversations would focus on building bridges between the APD and residents, and/or building understanding among residents of diverse experiences and perspectives on issues of diversity, bias, inclusion, safety, and justice. There are many different models for successful community dialogue, ranging from town-wide forums to targeted dialogue circles, concentrated meetings to annual sessions, broad engagements to topic-specific interventions. How and what to do might be explored as part of the forum described above.
- Facilitated assistance with internal planning for the AHRC could be helpful for better clarifying their roles, responsibilities, and mission, how they make decisions, and how they can better respond to public demands around challenging and controversial issues.