



City of Cambridge Police Department

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Dr. Branville G. Bard, Jr.
Police Commissioner

Louis A. DePasquale
City Manager

27 July 2020

Madame Mayor, Vice Mayor and to the distinguished City Councilors:

I write to you in the spirit of humility and cooperation with the understanding that we are all saddled with the burden of determining the parameters of public safety in Cambridge on the other side of what are sure to be historic reforms. I also write in the spirit of brevity, as the next time we meet during the Summer meeting, the agenda is inherently long and burdensome. In communicating in this fashion, it is my hope to provide some semblance of understanding as to how and why municipal police departments, like here in Cambridge, came to require the type of weaponry listed in the inventory contained in response to Council Order O-9; thereby allowing members to eliminate some questions, and fine-tune other questions. This communication will *provide much more detail* than I would have been allowed to provide in the *1 or 2 minutes* I would have felt appropriate to take to respond at the actual meeting.

PARADIGM SHIFTS

Two incidents, both of which occurred at the close of the 1990s greatly shaped the way in which municipal police departments arms its officers and respond to mass casualty incidents today: (1) the Bank of America Shooting in North Hollywood (1997), and (2) the Massacre at Columbine High School in Littleton Colorado (1999). Both of these high-profile incidents resulted in distinct paradigm shifts.

1. **BANK OF AMERICA SHOOTING IN NORTH HOLLYWOOD¹ (1997)**→ Here, two (2) heavily armed gunmen, wearing reinforced full-body (head to foot) armor, robbed a Bank of America branch in North Hollywood; they were heavily armed with AK-47 type rifles and an assortment of other firearms. The robbery was interrupted by a lone police cruiser, who along with responding backup officers, being armed with only handguns, were severely outmatched in terms of firepower. Additionally, in many cases, the only cover and concealment available to officers and unsuspecting civilians that was capable of providing sufficient protection from the high-powered rifles was the “engine block” of their cruisers and nearby vehicles. During the exchange with the gunmen, many officers and civilians suffered serious injuries as a result of being struck with gunfire from the robbers’ high-powered rifles. *The inability of the officers to meet the threat, resulted in the community being terrorized for more than forty-four (44) minutes.* Eventually, some resourceful members of the LAPD entered a gun shop and borrowed

¹ Fonseca, R. (2017). “Timeline of Terror: How the Infamous North Hollywood shootout unfolded 20 years ago”. **DN Projects**. Available online: <https://projects.dailynews.com/north-hollywood-shootout/>

some weapons and ammunition capable of posing a threat to the gunmen (12-gauge shotguns); however, still incapable of matching the force and firepower of the gunmen. This action coupled with the arrival of members of the Special Weapons And Tactics (SWAT) Unit [*a group of specially trained officers possessing weaponry capable of matching and overcoming the threat posed here by the gunmen*] brought the situation to an end, but ***not before eighteen (18) civilians and police officers were injured and both suspects were wounded fatally. VIDEOS FOR REFERENCE BY LENGTH: (26:47Mins-LA Archives; 4:41Min- Military.com)***

- a. **PARADIGM SHIFT:** This incident is largely cited as the point where many agencies began equipping all patrol vehicles and each station with high-powered weaponry capable of matching or overcoming a threat like the one posed during the Bank of America Shooting. You cannot allow your law enforcement agency to be overpowered; it is not simply a matter of “officer safety” but of “public safety”.
2. **Massacre at Columbine High School, Littleton Colorado² (1999)**→ Here, two (2) students entered their high school, Columbine High in Littleton Colorado, armed with more than one hundred (100) improvised explosive devices [bombs], guns and knives. The two individuals were planning to set off explosions and shoot individuals as they funneled through doorways while fleeing the explosion(s). When the explosive devices failed to detonate, the two individuals began shooting other students. According to video evidence and eyewitness accounts, ***the two individuals mocked, stalked, wounded and killed students for approximately 49 minutes inside of the high school that day.*** Within a few minutes (approx.3 minutes) of shooting the first victim, who was outside eating lunch, one of the suspects exchanged gunfire with a Community Resource Officer before fleeing inside of the school. At that time, the prevailing paradigm when responding to barricaded persons and active-shooter situations was to hold the perimeter while awaiting the arrival of Specialists (SWAT) and allow SWAT officers to enter, locate and neutralize the threat; therefore, the Community Resource Officer and subsequent backup officers did not enter the location. ***An analysis of the incident would show that officers were outside awaiting the arrival of SWAT while students were being shot and killed a mere 90 feet away from them inside of the school’s library.*** As a result, many lawsuits were filed against the Jefferson County Sheriff’s Office and subsequently paid out/settled. ***VIDEOS FOR REFERENCE BY LENGTH: (44:44-Real Crime; 2:33 - PennLive).***
- a. **PARADIGM SHIFT:** This incident is responsible for the paradigm shift to an Immediate Defense Of Life (IDOL) response. Under the IDOL model, officers would no longer await the arrival of SWAT during an active-shooter situation [incident where shooter has unlimited access to additional victims]; officers will immediately form an entry team, enter the premise in an effort to protect life by locating and neutralizing the offender(s). Some legislatures enacted IDOL laws to

² *Wanton Violence at Columbine High School, Littleton Colorado. U.S. Fire Administration/Technical Report Series. USFA-TR-128/April 1999.* Available online: https://schoolshooters.info/sites/default/files/Columbine_report_Homeland_Security.pdf

criminalize not doing so. To ensure a higher degree of success when engaged in these dangerous situations, it further required (or illuminated the need) that each unit be equipped with high-powered weaponry capable of defeating assault-type weapons likely to be encountered during these situations.

SPECIFIC EQUIPMENT

Upon submitting the response to POR 2020-146, many communications have been directed at the department primarily surrounding two issues: (1) The Lenco Bearcat, an armored Multi-Purpose Emergency Response Vehicle that utilizes the chassis of a Ford F550 and (2) the possession of high-powered firearms [both quantity and type].

1. **Lenco Bearcat** → (I'll start this part of the discussion by stating that this vehicle should not be used simply as a show of force—it should be used only for its capacity to protect/rescue [peaceful protestors, citizens, and first responders]). This vehicle, also known as an MPERV (Multi-Purpose Emergency Rescue Vehicle) was acquired by the department (and I believe other regional agencies as well) in 2014 in direct response to the 2013 Bombing of the Boston Marathon and the massive gunfight that ensued with the brothers who orchestrated the bombing. In addition to encountering automatic-type gunfire from the suspects, officers from multiple regional agencies were also assailed with explosive materials, as the suspects hurled bombs and other explosive devices during the exchange. Along with providing, protection from all types of gunfire, the Bearcat affords more protection from explosions and explosive devices than typical patrol vehicles; it also has self-contained air circulation capabilities that make it useful during fires or chemical exposures. Its protective capabilities make it useful for more than just law enforcement applications; it has wide-ranging rescue capabilities covering all aspects of public safety. For a more complete understanding of the Bearcat's capabilities; such as, how it was used to save many lives during the terrorist attack at the Pulse Night Club in Orlando Fl. by punching a hole in a concrete wall, allowing trapped victims to escape, please view some of the following videos and articles: ([9Min: Bearcat Tour - GB Police Dept. & GB City Council](#); [1Min-Bearcat fights Fire Video Bearcat Can Help You Fight Fires While Under Fire](#)).
2. **High-Powered Rifles and Other Firearms**→ I want to start off here by saying that I would never play a semantic game with you, I have no interest in splitting hairs or being coy—when I say “the department does not possess military materials”—I mean in the context that we do not possess materials that are restricted only to the military by law [and exempted to civilian law enforcement]. Additionally, the Department does not participate in the 1033 program where excess military equipment is given to civilian law enforcement agencies. It would be foolish to assert that the department uses no materials (ever) used by the military; inasmuch as, the military also uses handguns, and other items commonly used in many sectors. All of the firearms and rifles possessed by the department are able to be legally purchased [if not here in MA, then in neighboring states] and lawfully owned by private citizens The mere fact that these weapons are widely available speaks to why a municipal law enforcement agency would also be required to possess them.

Included in the email containing this communication is an audio file as recorded by the Shotspotter ® Gunshot Detection System (GDS). The location of the recording is 108-110 Harvard Street in the City of Cambridge MA on July 2nd, 2020 at approx. 9:54:10PM. What you hear in the audio is the sound of an automatic assault-type weapon being fired; ***the less-than six second burst resulted in 50 rounds fired*** on the streets of Cambridge. ***To be clear, these shots were not fired by Cambridge Police, but by brazen individuals who have no regard for laws or life.*** The fact that an automatic weapon could be deployed on the Streets of Cambridge at 108 & 110 Harvard Street, means that it could also be deployed anywhere in Cambridge, including in the high school or in any one of the City's colleges/universities, office buildings or in any business that calls Cambridge home and enjoy its relative safety.

To further clarify or to reiterate, the recording was from a **mere three weeks ago right here in Cambridge**; not some distant 1997 shooting at Bank of America or 1999 shooting in a high school in Littleton, Colorado. It is not so much a matter of “it could happen here”—it does happen here. At first blush it may sound harsh, but as a general rule you cannot allow your police department to be overpowered. Your police department must be able to overcome threats it may face and certainly must be prepared to face these threats at any and all times. As a resident of Cambridge, I would not want to reside in a City where the local police could not protect my family from such threats. My child attends school in Cambridge. As a parent, I do not want to send my child to a school where, God forbid, that if something terrible happened, local law enforcement could not overcome the threat and adequately protect children from further unnecessary harm and terror—I am certain that the overwhelming majority of your constituency feels the exact same way.

Lastly, I would argue that the Department uses these weapons sparingly and rarely has cause to display them; the surprised response to the Department's inventory list speaks to this claim. Also, in an effort to be transparent, and in response to an article in the Boston Herald, dated June 7 2020, where Boston City Councilor Wu asked for an accounting from BPD as to equipment that “could reasonably fall under the definition of ‘militarized’”, I ordered an inventory of all such weaponry; the first list was produced on June 11, 2020 in advance of POR 2020-146, which preempted submission [email proof will be submitted to the clerk in writing]. Thank you for taking the time to consider this post submission clarification.

Some citizen responses on various social media platforms to the inventory of CPD's weapons:

“It's disturbing” – hopefully it will become understood that a municipal police department would be required to possess high-powered weaponry. A police department must be equipped with weapons they are likely to encounter (or better ones in order to defeat what they are likely to encounter). It is disturbing that someone would brazenly fire an automatic weapon without regard for human life on our streets. In my opinion, it would be disturbing if the police department was not adequately equipped and prepared to deal with these types of situations.

“They should be categorized as military-grade” – that is a normative conversation that I do not have the luxury of entertaining; I have to consider the situation that actually is, not how it “ought to be”, and the fact is these high-powered weapons can be legally owned and are widely proliferated; therefore, law enforcement must also possess them. Legal gun ownership is a foundation of American society—legal gun ownership I support—unlawful gun usage is the problem, not ownership or classification per se.

“It’s a lot” – the Department possesses near the minimum amount of these types of weapons necessary to ensure responsible and sufficient coverage for a department and city of this size.

Dr. Branville G. Bard, Jr.

A handwritten signature in blue ink that reads "Branville Bard". The signature is written in a cursive style with a large initial "B".

Police Commissioner
City of Cambridge MA