



Transparency in the Service of Justice: Accurate Arrest Data in Massachusetts

An Act relative to the collection, accuracy
and public availability of arrest data

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Massachusetts needs better arrest data

The Council on State Governments (CSG) study in Massachusetts has highlighted a significant gap in what we know about the “front end” of our criminal justice system – particularly regarding arrests. Insufficient agency-level data about where arrests take place, arresting offenses and demographics of arrestees prevented CSG from conducting a full policy analysis, and represents a barrier to informed policy-making.

As FBI Director Comey has noted, “Without information, every single conversation in this country about policing and reform and justice is uninformed. And that is a very bad place to be.” *An act relative to the collection, accuracy and public availability of arrest data* would inform those conversations. It would ensure consistent, accurate data collection and require the state to publish arrest data on a regular basis.

There’s a system for that – NIBRS

Nationally, data collection is improving. For decades, the FBI has collected crime reports from state and local government, but only very general, inadequate data. That’s why the FBI is pushing state and local law enforcement to adopt a new reporting system called the National Incident Based Reporting System, or NIBRS.

NIBRS data is detailed enough to provide a meaningful picture of police practices in the Commonwealth – on the state, local, and even neighborhood level – and help inform criminal justice policy. It contains information not only about the general type of crime—i.e. homicide, drug, or assault—but also the specific alleged offense and government action (i.e. opiate possession arrest), the location where the arrest occurred, and much more. Importantly, the data in NIBRS does not contain the names of victims or suspects.

Per the FBI, all state and local police departments should submit data in NIBRS format by January 2021. The FBI plans to provide technical and training assistance to departments nationwide to help them meet that goal.

Bridging the gap in Massachusetts

We're well on our way. In Massachusetts, the Executive Office of Public Safety and Security (EOPSS) already collects NIBRS data from most departments statewide. EOPSS uses these data to analyze crime trends, and to inform public policy. Some of the largest departments in the state are currently making the transition to the NIBRS system.

This legislation will help Massachusetts get the rest of the way there. It will ensure statewide NIBRS compliance by 2021 and require EOPSS to make NIBRS arrest data public through the open data portal on the Commonwealth's IT website.

Open data is useful & efficient

NIBRS data is valuable to researchers and policymakers, who can use this basic criminal justice information to inform evidence-based solutions to social, economic, and political problems. This information is a public record and should be made available to the public proactively to advance government efficiency. Doing so will save police departments time and resources by enabling them to point to a public website in response to public records requests seeking aggregate information about arrests in their jurisdictions.

The Boston Police Department has been making its incident reports public on a proactive basis for years. In the digital 21st century, the BPD's open data transparency can serve as a model for the Commonwealth.