

DA look at flagger protest sought

Woburn review: Officers' actions possibly illegal

By David Abel

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WOBURN - Three out-of-town police officers may have committed crimes and acted in ways unbecoming of a police officer in last week's protest of the state's new civilian flagger rules, an internal investigation by city officials has found.

After reviewing videotapes of the Oct. 7 protest on Lexington Street, Mayor Tom McLaughlin said yesterday that he has turned over evidence to the Middlesex district attorney's office for review and possible charges.

At a morning news conference at City Hall, neither McLaughlin nor Police Chief Philip L. Mahoney would identify the officers or the communities they serve.

The Oct. 7 protest in Woburn included about 50 off-duty officers from Arlington, Medford, Everett, Stoneham, and Woburn, who heckled flaggers to protest new state rules that curb police details and road and construction projects, which often earn officers \$40 an hour. "The law has been changed in the Commonwealth, and we have to respect the law, whether someone agrees with it or not," Mahoney said. "I'm not going to stand for this ever again." Potential charges in Woburn stem from allegations that an officer drove recklessly in the wrong lane of traffic and two others screamed at one of the flaggers in an effort to distract him from his work, city officials said.

The new regulations, which the administration estimates will save the state between \$5.7 million and \$7.2 million a year, replace officers with civilian flaggers on nearly all state roads where the speed limit is below 45 miles per hour as well as on low-traffic roads where the speed limit is higher. Civilians will also be used when barriers block construction sites on high-speed, high-traffic roads. Some projects can go forward without anyone directing traffic.

Police officers, who can earn tens of thousands of dollars in extra pay from details, will continue to direct traffic on busy roads with speed limits of 45 miles per hour or higher. Harry MacGilvray, president of Medford Police Patrolmen Association, described last week's protest as a "lawful assembly," but he declined to comment on the 20 allegations. Mahoney released yesterday a general order that he issued last week, requiring all officers protesting the new law to "conduct themselves in a professional manner."

"While the department recognizes an officer's right to participate in picketing activities, conduct unbecoming a police officer will not be tolerated," the order said. "Members of the department shall not engage in disorderly or disruptive conduct at any picketing location,

within or outside the city of Woburn, which may tend to reflect discredit upon the department."

The chief ordered officers to avoid parking illegally on any public or private street at a construction site, walking within a marked construction zone, interfering with workers, directing obscene language or gestures at workers, or taking any other actions intended to disrupt the flow of traffic or impede work.

The chief said officers who violate his orders will face suspension or termination.

Officer Dana Gately, vice president of the Woburn police officers union, declined to comment.

Mahoney said he expects more protests. "Do I think the situation could have been handed much better had I been prepared for it? Absolutely," he said. "I wasn't. I take some responsibility here, too." ■