



Chiefs Newsletter

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News from the Executive Director

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Surveys and Professional Development (In-Service)

First, my thanks to all of you who made time to participate in the online survey regarding professional development training and to everyone who provided comments and suggestions for changing the MPTC and police training. I assure you that your time was not wasted. We will act on your suggestions and comments. It may take us some time to address them all, but we will address them. In fairness, we will not be able to implement all of them. For some of the suggestions, it will be due to a majority of the chiefs supporting a different training philosophy or direction. Another obstacle

will be a lack of sufficient funding, but that will mainly affect the number and type of specialized training sessions we can host.

Although, a lack of funding seems to have become the mantra of police training, I will commit this to you: We will not use it as a blanket excuse at the MPTC. Certainly, there will be some things we cannot do because of budget challenges; however, we will not be using money as an excuse to do nothing. In other words, we cannot do some things, but we can certainly do *something*. And we will. It will

require creativity and partnerships, but opportunities abound, and we will try to take advantage of them.

FYI, the discussion regarding next year's professional development (in-service training) has already begun, utilizing the input you provided. So, stay tuned for the outcome of those discussions and decisions.

Firearms Requalification and Continual Training

As you may know, the Committee approved a statewide firearms training and requalification requirement for all municipal officers. By way of background, the discussion started about one year ago when the Statewide Firearms Coordinator, Bill Leanos, met with the Committee to request their consideration for annual firearms proficiency and training requirements. He outlined the legal and skill competency reasons for estab-

lishing them. The Committee then directed MPTC staff to develop a specific proposal in consultation with representatives from various departments. A proposal was presented to the Committee, which then discussed the ramifications of the drafted requirements at length. The Committee considered such factors as range availability, the cost of ammunition, liability issues, and the practicality

of the requirements. The policy went through several iterations in an attempt to address the many ramifications of such a policy. The approved policy is the culmination of all those considerations and discussions.

I have included the requirements at the end of this newsletter and have also included a listing of some relevant case law regarding firearms training, found on pages 4&5.

“the Committee approved a statewide firearms training and requalification requirement for all municipal officers ”

In summary, the policy requires a minimum of four sessions:

1. An annual firing of the 50-round MPTC Basic Qualification Course.
2. An annual review of firearms safety and the department’s use-of-force policy.
3. A firearms training session.
4. A second firearms training session.

In addition to the 50 rounds fired for the qualification course, another 50 rounds must be expended annually in firearms training sessions. Also, recognizing the many constraints agencies face with respect to training, for scheduling efficiency, numbers one through three on the list can be conducted during a single training day, but number four must be conducted on a separate day. Please read through the requirements, and if you have any questions, please do not hesitate to contact me.

SSPO Training and Reserve/Intermittent Recruit Officer Training

In case you have not heard, the Committee has voted to accept SSPO Recruit Officer training (utilized by many campus police agencies) as meeting the minimum training requirements for Reserve/Intermittent (R/I) status. As a result, if you have a campus police officer who has successfully completed SSPO Recruit Officer Training and who you would like to utilize as a Reserve or Intermittent officer, he or she does not need to attend a separate Reserve/Intermittent Recruit Officer training program. Their SSPO training satisfies that requirement.

Speaking of Reserve/Intermittent training, you are likely aware the Committee has voted to increase R/I Recruit Officer training to 242 hours, which does NOT include a firearms component. If you utilize armed R/I officers, they will also need to complete the firearms training separately. The revised curriculum will take effect in the fall of 2010.

Methodology utilized: The program coordinators for the various R/I training programs

and members of the MPTC staff formed a working group to discuss revisions to the curriculum and the number of hours needed to give R/I officers a basic level of proficiency. The working group started with the premise that all police officers engaged in law enforcement actions should receive the same level of training. Consequently, the group started with the idea that R/I officers should have the entire recruit officer training provided to fulltime officers. However, the group also recognized that most R/I officers do not perform all the same duties and tasks as do fulltime officers. For example, most R/I officers are not expected to investigate crashes. With that foundation in mind, the group went through the MPTC-approved Basic Recruit Curriculum for fulltime officers topic by topic and discussed each topic’s applicability to R/I officers.

For those topics deemed necessary for R/I officers, the group then discussed the level of training needed in that topic area. For the good-to-know areas, each topic was

evaluated for the portions of the topic that should be included in the training. For example, hazardous materials was considered an important topic, but the group felt the entire block of training was not needed. As a result, the hours were reduced to only provide a familiarization, and the topic was added to the motor vehicle block. Impressively, the group was able to whittle the fulltime curriculum down to a core curriculum of 242 hours for R/I officers.

The group has committed to meeting quarterly to perform ongoing discussions of the curriculum and its applicability and efficacy. As a result, the curriculum and its application will be under continuous review and updates will be recommended periodically, as needed. So, if you have suggestions and feedback, please share them with your R/I program coordinator, the Committee, or me.

Regionalized training: The group discussed the reality that each region has specialized training needs. In the past, the needs were added to the basic recruit curriculum,

which led to a wide variety of curricula. In recognition of and to address this issue, while still maintaining consistency and uniformity in the R/I Basic Recruit curriculum, the group agreed that all such training is now considered Specialized training and will be referred to as such (whether the training is mandatory within the regional program or optional). This should help the administrators and MPTC staff better achieve uniformity of recruit training curricula. At the same time, this regionalization may lead to R/I training venues exceeding the 242-hour core, recruit officer curriculum.

Committee Meeting Minutes Online

To keep you abreast of Committee actions in a timely manner, we will now be posting the minutes from Committee meetings on the MPTC website. On the homepage (www.mass.gov/MPTC), click on the “Committee Minutes” link under “Key Resources” on the left-hand side of the page.

Website

And finally, speaking of the website, if you have not done so lately, please take a look at the MPTC website. Lynda Kearns has been working diligently to improve its functionality and flow. She is trying to reduce the number of clicks required to get to information and to make the location of information more intuitive. If you have comments or suggestions, please feel free to share them with her at Lynda.Kearns@state.ma.us or at 781-437-0306.

The screenshot shows the official website of the Executive Office of Public Safety and Security (EOPSS). The header includes the text "The Official Website of the Executive Office of Public Safety and Security (EOPSS)" and "Public Safety". Navigation links include "EOPSS Home", "Mass.Gov", "State Agencies", and "State Online Services". The main content area is titled "Municipal Police Training Committee (MPTC)" and features a "Welcome Message" from Dan Zivkovich, Executive Director. The message states: "At the Municipal Police Training Committee, we are committed to providing the Commonwealth with the highest level of service possible. Our goal is excellence, both internally and for the training we provide. As the newly appointed executive director, I look forward to working with the rest of the MPTC team and police agencies statewide as we work to further enhance the education and professionalism of the police profession." Below the message, it says: "If you have questions, comments, or concerns, please feel free to contact me." and "Sincerely, Dan Zivkovich, Executive Director (781) 437-0301". A section titled "MPTC Mission and Vision" begins with "The mission of the Municipal Police Training Committee is to set and enforce training standards, to identify and meet the training". The left sidebar contains sections for "PROGRAMS & SERVICES" (About the MPTC, Training Programs, MPTC Police Academies, MPTC Exemptions, Transcript and Training Manual Request) and "KEY RESOURCES" (Chiefs Corner, MPTC Contacts, MPTC Committee Members PDF, Committee Meeting Minutes, Directions to MPTC Sites, Frequently Asked Questions). The right sidebar includes a "SEARCH" box, "NEWS & UPDATES" (Suicide Bombing (ILERSBA Training) PDF, Accident Investigation/Reconstruction Instructor Training Word, Cancelled: Distance Learning Registrar Training Mar 26th PDF, Polishing the Badge PDF, Women in Policing PDF), and "More..." with "Subscribe | Learn more" links. The bottom of the page shows the start of an "ONLINE SERVICES" section.

As always, please let me know your comments and concerns. Thank you for what you do and above all else, be careful out there!

Dan

Minimum Standards for Handgun Requalification and Continual Training

The minimum standards included herein are required of all sworn municipal police officers in the Commonwealth, whether full-time, reserve, or intermittent. These standards are divided into two sections: *qualification* and *training*. Qualification under these standards is intended to document existing marksmanship proficiency and safe firearms handling skills. Training is intended to improve the officer's marksmanship, reaction and decision making skills under stress in a variety of potential shooting situations as well as to enhance officer safety and safety of the public. The standards listed are minimum standards only. Nothing herein should be construed as recommending adherence only to the minimum standards or restricts agencies in any way from exceeding them.

Qualification

1. Annually complete the MPTC Basic Qualification Course at least once with a minimum score of 80%.
 - a. While duty ammunition is not required, the caliber used for qualification shall be identical to that used for duty ammunition.
 - b. The target used for qualification shall be the standard MPTC-approved target.

Training

1. Annually receive instruction and review in legal issues and Department policy on deadly force, and the safe handling and storage of firearms. This may be done at the time of qualification, range training, or on a separate date.
2. In *addition* to the annual Qualification standard and the annual review requirements outlined above, each officer shall complete, within each twelve month period, two training sessions in the use of the handgun. These two training sessions should be sufficiently spaced apart in such a manner as to maintain proficiency throughout the calendar year.
 - a. At a minimum, each officer shall discharge a total of 50 live-fire rounds for training purposes other than the MPTC Basic Qualification Course. The intent is for these rounds to be expended in multiple firearms training sessions.
 - b. Each training session shall be realistic in nature; training should include the following: judgmental shooting, reduced-light and multiple target drills or scenarios, shooting at moving targets, and shooting while moving.
 - c. Training should enhance skill diversity by varying the live-fire drills from session to session.
 - d. Training should be scenario based wherever practical and incorporate the use of cover, shooting from a variety of positions, and the use of both sighted and point-shooting techniques.
 - e. Any target may be used for training purposes; however, the use of steel or reactive targets is encouraged where practical.
 - f. Skill building drills may include firearms simulators (such as Range 3000), Simunition Weapons, Air-Soft, plastic rounds, and Red/Blue guns.
 - g. Departments are encouraged to use MPTC-certified instructors in their firearms training programs.

General Principles of Firearms Training

1. Notwithstanding the potential for "failure to train" lawsuits under 42 U.S.C. 1983, or suits for "employee negligence" under the Massachusetts Tort Claims Act (M.G.L. c. 258), the design and implementation of firearms training programs should not be motivated by the sole purpose of avoiding legal liability.
 2. Firearms training should be designed to prepare officers to protect themselves and their communities from dangerous individuals, when necessary. To attain that objective, the program should logically take into consideration the nature and conditions of the job and should be tailored accordingly.
 3. The primary liability issues involving firearms training involve failure to train (which includes the nature of the training), failure to supervise training (which includes documentation), proficiency testing, and policies.
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Selected Negligent Training Cases

City of Canton, Ohio v. Harris, 109 S.Ct. 1197 U.S. Ohio, 1989

(deliberate indifference standard established)

Zuchel v. City and County of Denver 997 F. 2d 730 10th Circuit Court

(inadequate training program)

Popow v. City of Margate 476 F. Supp. 1237 D.N.J. 1979

(inadequate training in absence of moving targets and low-light training)

Vickowski v. Hukowicz, 201 F.Supp.2d 195 D. Mass., 2002

(outlines legal test/questions for establishing a failure-to-train tort)

Armstrong v. Lamy, 938 F.Supp. 1018 D. Mass., 1996

(Pattern of behavior in violation of constitutional standard need not be shown if need for more or different training is so obvious and inadequacy so likely to result in violation of constitutional rights that policymakers of municipality can reasonably be said to have been deliberately indifferent to need.)

These cases only provide a very cursory overview of litigation involving firearms training. For a more extensive list of relevant cases, please contact the MPTC or your legal advisor.

Dan Zivkovich, Executive Director (781) 437-0301
Municipal Police Training Committee
6 Adams Street, Randolph, MA 02368
Main Number: 781-437-0300 Fax: 781-963-0235

The mission of the Municipal Police Training Committee is to set and enforce training standards, to identify and meet the training needs of the Commonwealth's municipal police officers, to facilitate the delivery of up-to-date, state-of-the-art training, and to document training. At the same time, the MPTC must be responsive to the needs of municipal departments and the communities they serve.

MPTC Regional Police Academies

Boylston Regional Police Academy

221 Main Street,
Boylston, MA 01505
Lisa Ann Reich, Academy Director
Ph: (781) 437-0322
Fax: (508) 869-3187

New Bedford Regional Police Academy

1204 Purchase Street
New Bedford, MA 02740
Rose Sauvageau, Program Coordinator
Ph: (508) 992 - 7014
FAX: (508) 9791771

Plymouth Regional Police Academy

24 Long Pond Road
Plymouth, MA 02360
John DeGutis, Academy Director
Ph: (781) 437-0331
FAX: (508) 830-6319
Alison Taylor, Veteran Officer Coordinator
Cape & Islands (781) 437-0332
Joanne Heres, Veteran Officer Coordinator
(781) 437-0333
Eileen Goodick, Basic & Reserve Intermit-
tent (781) 437-0334

Randolph Regional Police Academy

6 Adams Street, Randolph, MA 02368
Carl Parsons, Academy Director (781) 437-0321
James Scott, Specialized Training (781) 437-0307
Fax: (781) 963-0235

Reading Regional Police Academy

P.O. Box 522, Reading, MA 01867 FAX: (781) 942-0968
Rhoda Pires, Academy Director (781) 437-0341
Larry Norman, Program Coordinator (781) 437-0343
Pam King, Governor's Highway Safety Division (781) 437-0342
FAX: 781-942-0969

Western Mass Police Academy c/o STCC

1 Armory Square, Bldg. 12, Springfield, MA 01102
John Claffey, Academy Director Ph: (413) 755-5721
Dori-Ann Ference, Veteran Officer Coordinator (413) 755-5722
FAX: 413-755-6331



We're on the Web!
www.mass.gov/mptc