

Municipal Police Training Committee
Standards Subcommittee Meeting
MPTC Headquarters – Randolph
July 19, 2023

I. CALL TO ORDER

At 9:10 a.m. on July 19, 2023, an in-person meeting of the Standards Subcommittee was called to order at MPTC headquarters in Randolph, MA. Advance notice of the meeting was posted in compliance with the open meeting laws. A quorum of the seven-member Subcommittee was present.

Subcommittee Members Present

- Chair Kevin Coppinger
- Chief Edward Conley
- Chief Jennifer Gundersen
- Major Steven McCarthy

MPTC Staff Present

- Jim O'Brien
- Andrea Nardone
- Lara Thomas
- Denise Flagg
- Felicia Arnold
- Jay Gribaudo
- Gina Masotta

Guests Present

- James Gannon, Norfolk Sheriff's Office
- Courtney Madden, Norfolk Sheriff's Office

II. APPROVAL OF SUBCOMMITTEE MINUTES

A motion was made by Chief Gundersen and seconded by Chief Conley to approve the Standards Subcommittee minutes from the June 21, 2023 Meeting. A vote was taken, and the motion passed unanimously.

III. POLICE WAIVERS AND OUT-OF-STATE EXEMPTIONS

Temporary Waivers

There were two temporary waivers on the July agenda.

1. Kevin D. Lynch

Cohasset PD

- Training:
 - **June 2021:** Graduated from the Massachusetts Law Enforcement Training Alliance (MLETA) Reserve/Intermittent Police Academy.
 - **November 2022:** Completed all Bridge coursework.
- Work Experience as a Law Enforcement Officer:
 - **June 2021 – Present:** Special Police Officer for Cohasset PD.
- Exigency: Cohasset PD currently has two officers on long-term injury leave and an additional officer who is on paid administrative leave. With only 18 sworn officers, this has created a staffing crisis. Officers are regularly working 16-hour shifts.
- CPR/First Responder Certified: Yes (TY23 in-service complete).
- Firearms Certified: Yes (TY23 in-service complete).
- Expected Academy: Next scheduled Randolph Police Academy.

2. Chelsie M. Reilly

Manchester-by-the-Sea PD

- Training:
 - **January 2020:** Graduated from the Massachusetts Law Enforcement Training Alliance (MLETA) Class #19 Reserve/Intermittent Police Academy.
- Work Experience as a Law Enforcement Officer:
 - **March 2021 – Present:** Reserve Police Officer for Manchester-by-the-Sea PD.
- Exigency: Manchester-by-the-Sea PD has an ongoing staffing shortage and, as a coastal community, increased need during the summer season.
- CPR/First Responder Certified: Yes (TY23 in-service complete).
- Firearms Certified: Yes (TY23 in-service complete).
- Expected Academy: Next scheduled Lynnfield Police Academy.

A single motion was made by Chief Gundersen and seconded by Major McCarthy to recommend to the full Committee that 270-day temporary waivers for Officers Kevin D. Lynch and Chelsie M. Reilly be approved. A vote was taken, and the motion passed unanimously.

Out-of-State Exemptions

There were two out-of-state exemptions on the July agenda.

1. Michael J. McCormack

Lunenberg PD

- Basic Training:
 - Graduated May 26, 2017 from the 803-hour 103rd Basic Training Class for Police Professionals at the Vermont Police Academy in Pittsford, VT.

- Work Experience as a Law Enforcement Officer: 5+ years as a full-time officer.
 - March 2018 – Present: Winooski, VT Police Department (currently a Sergeant).
- In-Service/Specialized Training: Yes, in VT.
- Break in Service: No.
- CPR/First Responder Certified: Yes (12/21/22).
- MPTC Firearms Certified: Yes (7/11/23).
- MPTC Police Officer Core Competency Exam: Yes (86% on 7/13/23).

2. Justin L. Ryal

Boylston PD

- Basic Training:
 - Graduated May 28, 2021 from the 914.5-hour Class 2021-1 Rhode Island Municipal Police Training Academy.
- Work Experience as a Law Enforcement Officer: 2+ years as a fulltime officer.
 - May 2021 – Present: Woonsocket, RI Police Department.
- In-Service/Specialized Training: Yes, in RI.
- Break in Service: No.
- CPR/First Responder Certified: Yes (7/13/23).
- MPTC Firearms Certified: Yes (7/8/23).
- MPTC Police Officer Core Competency Exam: Yes (86% on 7/14/23).

A single motion was made by Chief Gundersen and seconded by Major McCarthy to recommend to the full Committee that Officers Michael J. McCormack and Justin L. Ryal have the necessary training/experience to obtain an exemption from the requirement of completing a full-time MPTC operated/authorized Police Academy. A vote was taken, and the motion passed unanimously.

Out-of-State Exemption Advisory

The July agenda had one request by MPTC staff for guidance on an out-of-state exemption advisory request.

1. Ilikea Fuentes

Syracuse University PD

- Basic Training:
 - Graduated August 16, 2019 from the 18-week, 673.5-hour New York Municipal Police Training Council Campus Public Safety Officer Course (AKA Campus Peace Officer Academy – ARMED).
- Work Experience as a Law Enforcement Officer: 2+ years as a full-time officer.
 - August 2019 – Present: Syracuse University PD, Syracuse, NY.
- In-Service/Specialized Training: Yes, at least 97 additional hours of training.
- Break in Service: No.
- CPR/First Responder Certified: No.
- MPTC Firearms Certified: No.
- MPTC Police Officer Core Competency Exam: No.

The Subcommittee was initially presented with the training/work experience of Officer Fuentes at the June 21, 2023 Subcommittee Meeting and requested additional information as to whether a municipal law enforcement agency in New York would hire her based on her campus academy training and work experience. Jim O'Brien reached out to Officer Fuentes and reported back to the Subcommittee on her response at today's meeting. According to Officer Fuentes, it depends on the hiring agency and some agencies require additional training. After some discussion, there was consensus among the Subcommittee members present that they would be inclined to recommend granting an exemption to Officer Fuentes if a request came before them. No vote was taken, but MPTC staff will issue a positive out-of-state exemption advisory letter to Officer Fuentes.

IV. BRIDGE HOURS/EXEMPTIONS

Bridge Hours

MPTC staff requested Subcommittee guidance on crediting/not crediting law enforcement work hours for thirteen officers enrolled in the Bridge Training Program. Six of the thirteen officers were from the Norfolk Sheriff's Office. Assistant Deputy Superintendent James Gannon and General Counsel Courtney Madden from the Norfolk Sheriff's Office attended the Subcommittee meeting in person to answer any questions and provide additional information.

1. Patrick Weir

Norfolk Sheriff's Office

Lieutenant Weir did not attend the Subcommittee meeting in person, but the Norfolk Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff and has held the title of Deputy Sheriff from May 2005 through the present. During that time, he was responsible for, among other things, overseeing/supervising inmates in housing units, conducting investigations and interviews, and transporting prisoners. He was promoted to the rank of Sergeant in 2018 and to Lieutenant in 2021.

2. David Mulcahy

Norfolk Sheriff's Office

Sergeant Mulcahy did not attend the Subcommittee meeting in person, but the Norfolk Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff and has held the title of Deputy Sheriff from 1999 through the present. During that time, Sergeant Mulcahy was responsible for, among other things, overseeing/supervising inmates in housing units, conducting investigations and interviews, and transporting prisoners. He was promoted to the rank of Sergeant in 2014.

3. Robert Presutti

Norfolk Sheriff's Office

Sergeant Presutti did not attend the Subcommittee meeting in person, but the Norfolk Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff and has held the title of Deputy Sheriff since 2017. During that time, Sergeant Presutti was responsible for, among other things, overseeing/supervising inmates in housing units, conducting investigations and interviews, and transporting prisoners. He was promoted to the rank of Sergeant in 2020.

4. Matthew Martin**Norfolk Sheriff's Office**

Officer Martin did not attend the Subcommittee meeting in person, but the Norfolk Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff and has held the title of Deputy Sheriff since 2015. During that time, he was responsible for, among other things, overseeing/supervising inmates in housing units, conducting investigations and interviews, and transporting prisoners.

No vote was taken, but there was a consensus among the Subcommittee members present that the work hours of the above-named four officers as Deputy Sheriffs should be credited.

5. Ed Krug**Norfolk Sheriff's Office**

After being presented with paperwork regarding Officer Krug at the June 21, 2023 Subcommittee Meeting, the Subcommittee was looking for more information regarding his job duties as an "Outreach" Corrections Officer. At today's meeting, Assistant Deputy Superintendent Gannon and General Counsel Madden from the Norfolk Sheriff's Office explained that Officer Krug is both a Corrections Officer and a Deputy Sheriff. He has held the title of Deputy Sheriff since 1992. As an Outreach Corrections Officer, Officer Krug specializes in work with pre- and post-release offenders; but he is available to work in housing units with inmate contact and to work overtime shifts. No vote was taken, but after some discussion, there was a consensus among the Subcommittee members present that MPTC staff should credit Officer Krug's hours.

6. Brett LeClerc**Norfolk Sheriff's Office**

Officer LeClerc did not attend the Subcommittee meeting in person, but the Norfolk Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff. He has held the title of Deputy Sheriff since 2011 and, from 2017 to the present, has worked as a "Utility Maintenance Worker/Corrections Officer." In response to questions from the Subcommittee regarding Officer LeClerc's job duties as a Utility Maintenance Worker, Assistant Deputy Superintendent Gannon and General Counsel Madden explained that Utility Maintenance Worker is a specialty position. They confirmed that Officer LeClerc has inmate contact and supervises inmates. They also advised that he is on a special response team and has responded to protests, responded to courthouses, and conducted cell extractions. No vote was taken, but there was a consensus among the Subcommittee members present that Officer LeClerc's hours should be credited.

7. Jeff Lukas**Hampden Sheriff's Office**

Officer Lukas did not attend the Subcommittee meeting in person, but the Hampden Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff. He has been a Corrections Officer since 1994 and has held the title of Deputy Sheriff since 1995. Officer Lukas worked in housing units for over twenty-five years until 2021, when he was promoted to "Industrial Instructor." In 2023, he was promoted to Shift Supervisor/Corrections Officer II. No vote was taken, but after some discussion, there was a consensus among the Subcommittee members present that Officer Lukas's hours should be credited.

8. Shawn Hemingway**Hampden Sheriff's Office**

Officer Hemingway did not attend the Subcommittee meeting in person, but the Hampden Sheriff's Office submitted paperwork indicating that he is a Corrections Officer/Deputy Sheriff. He has been a Deputy Sheriff since May 22, 2021. From May 22, 2021 to October 17, 2021, he worked as an "Industrial Shop Manager." On October 17, 2021, Officer Hemingway transferred to the Maritime Patrol Unit as the unit supervisor. Chief Gundersen advised that she has worked with the Maritime Patrol Unit and its members are clearly performing law enforcement duties. It was noted during discussion among the Subcommittee members that the paperwork submitted by the Hampden Sheriff's Office does not appear to seek credit for the hours worked by Officer Hemingway from May 22, 2021 to October 17, 2021, when he was an Industrial Shop Manager. No vote was taken, but there was a consensus among the Subcommittee members that Officer Hemingway's hours from October 17, 2021 to the present should be credited. Given that the Subcommittee has directed MPTC staff to credit the hours of other Deputy Sheriffs working in specialty positions similar to Industrial Shop Manager, there was also consensus that this request should be revisited if Officer Hemingway's hours from October 17, 2021 to the present fall short of 2,400 hours.

9. Joseph Levesque**Salem Harbormaster's Office**

Assistant Harbormaster Levesque was not present, but the Salem Police Department submitted detailed paperwork on his behalf, including a description of his job duties and payroll records from June 2015 through May 2023.

10. Patrick Mulligan**Salem Harbormaster's Office**

Deputy Harbormaster Mulligan was not present, but the Salem Police Department submitted detailed paperwork on his behalf, including a description of his job duties and payroll records from January 2022 through June 2023.

11. William McHugh**Salem Harbormaster's Office**

Harbormaster McHugh was not present, but the Salem Police Department submitted detailed paperwork on his behalf, including a description of his job duties and payroll records from January 2022 through June 2023.

No vote was taken, but there was a consensus among the Subcommittee members present that the work hours of the above-named three officers from the Salem Harbormaster's Office should be credited by MPTC staff.

12. Michael Dagenais**Berkley/Freetown/BCC PD**

Officer Dagenais did not attend the Subcommittee meeting in person, but Berkley PD submitted paperwork indicating that he works at Berkley PD, Freetown PD, and Bristol Community College PD. The job description included by Berkley PD for Officer Dagenais's position is titled "Signal Operator." Jim O'Brien noted that this Berkely PD position is one that has been before the Subcommittee on prior occasions. It is a full-time position in which the officer is in uniform,

wearing a duty belt, and reserve-trained but only works on the desk and never goes out on the street to work patrol shifts. The Subcommittee was unable to make an assessment as to whether the hours worked by Officer Dagenais at Freetown PD or Bristol Community College PD were patrol hours that should be counted. No vote was taken. The matter was tabled for more information and an in-person appearance at the next Subcommittee meeting.

13. Richard Davis

Medfield/MassBay/Hull PD

Officer Davis did not attend the Subcommittee meeting in person, but Medfield PD submitted paperwork indicating that he works at Medfield PD, MassBay Community College PD, and Hull PD. Officer Davis's duties at Medfield PD include both desk and patrol hours. However, he appears to work primarily in a desk duty position for Hull PD. The job description submitted for his position with Hull PD is titled "Front Desk/Coordinator." MPTC staff noted that the records submitted by Hull PD reflect that Officer Davis worked 1,000+ desk hours and approximately 176 hours of summer patrol. Jim O'Brien explained that he directed MPTC staff not to count the Officer's desk hours with Hull PD, and Officer Davis appealed his directive. No vote was taken, but the Subcommittee members agreed that Officer Davis's patrol hours for Hull PD should be credited and his desk hours should not be credited.

Bridge Exemptions

The Standards Subcommittee considered Bridge exemption requests for Officers numbered 617 through 619 on the July Bridge Academy A-H Class List.

A motion was made by Chief Gundersen and seconded by Chief Conley to recommend to the full Committee that it approve Bridge exemption requests for Officers numbered 617 through 619 on the July Bridge Academy A-H Class List. A vote was taken, and the motion passed unanimously.

The Standards Subcommittee considered Bridge exemption requests for Officers numbered 320 through 385 on the July Bridge Academy I-P Class List.

A motion was made by Chief Gundersen and seconded by Major McCarthy to recommend to the full Committee that it approve Bridge exemption requests for Officers numbered 320 through 385 on the July Bridge Academy I-P Class List. A vote was taken, and the motion passed unanimously.

The Standards Subcommittee considered Bridge exemption requests for Officers numbered 29 through 44 on the July Bridge Academy Q-Z Class List.

A motion was made by Chief Gundersen and seconded by Chief Conley to recommend to the full Committee that it approve Bridge exemption requests for Officers numbered 29 through 44 on the July Bridge Academy Q-Z Class List. A vote was taken, and the motion passed unanimously.

V. DISCIPLINARY DISMISSAL APPEALS

Since the last Subcommittee meeting, the John Posada/Lynnfield Academy decision has been released. Jim O'Brien provided a recap of the facts and reported on the results of the hearing. Based on the evidence presented at the hearing, the Subcommittee found that Mr. Posada did engage in conduct unbecoming, but it did not rise to the level of a dismissal. Therefore, Mr. Posada will be able to attend the next eligible academy class, other than Lynnfield.

There is one outstanding potential appeal hearing for Student Officer Ingram, who was dismissed from the Springfield Academy. Jim O'Brien needs to follow up with Student Officer Ingram's attorney to find out whether they intend to proceed with a hearing. If Student Officer Ingram does intend to move forward with a hearing, Jim O'Brien will reach out to the Subcommittee members and schedule the hearing.

All four of the student officers dismissed for disciplinary reasons in connection with the test integrity matter have appealed. Jim O'Brien advised that it will be up to the Subcommittee to decide whether there will be a single hearing or multiple hearings for their appeals. Sheriff Coppinger inquired as to whether the Subcommittee will receive more information about the dismissals before having to make that decision. Jim O'Brien said that MPTC staff would put together a packet of information for the Subcommittee's review.

VI. OTHER MATTERS

MPTC staff requested Subcommittee guidance on crediting/not crediting hours worked by police officers at the Big E in West Springfield. Jim O'Brien noted that the directive from the Committee and Subcommittee has always been not to credit any detail hours, whether the details were worked at the Big E, Gillette, or elsewhere. But MPTC staff frequently receive inquiries regarding Big E hours, and police departments have argued that there is a difference between working inside the Big E and working outside of it. The Subcommittee members discussed that hours worked inside the Big E could constitute patrol hours (that should be credited) while hours worked outside the Big E are generally traffic details (that should not be credited), and it may make sense for us to look at this issue on an individual basis with departments submitting whatever materials necessary to support their request. Sheriff Coppinger will discuss the issue with Chief Hicks.

VII. ADJOURNMENT

At 10:14 a.m., a motion was made by Major McCarthy and seconded by Chief Conley to adjourn the Subcommittee meeting. A vote was taken, and the motion passed unanimously.