

Municipal Police Training Committee
Standards Subcommittee Monthly Meeting Minutes
MPTC Headquarters, Randolph, MA
October 16, 2024

I. CALL TO ORDER

On October 16, 2024, at 9:23 a.m., an in-person meeting of the Standards Subcommittee was called to order at MPTC Headquarters, 42 Thomas Patten Drive, 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. The meeting was broadcast over Microsoft Teams.

Subcommittee Members Present

- Chief Jennifer Gundersen
- Chief Edward Conley
- Chief Thomas Gammel
- Superintendent Richard Sullivan

MPTC/EOPSS Staff Present

- Jim O'Brien
- Gina Masotta
- Denise Flagg
- Felisha Arnold
- Andrea Nardone

II. APPROVAL OF SUBCOMMITTEE MINUTES

A motion was made by Superintendent Sullivan and seconded by Chief Gammel to approve the Standards Subcommittee minutes from the September 25, 2024, meeting. A vote was taken, and the motion passed unanimously.

III. POLICE WAIVERS AND OUT-OF-STATE EXEMPTIONS

Temporary Waivers

There were no temporary waivers on the October agenda.

Out-of-State Exemptions

There was one out-of-state exemption on the October agenda.

1. Benjamin Emerson Westfield PD

- Basic Training:
 - Graduated on June 22, 2022, from the Northern Virginia Criminal Justice Training Academy's 795-hour Extended Basic Law Enforcement School, Session 146.

- Work Experience as a Law Enforcement Officer:
 - June 2022 – present: full-time police officer for the Fairfax City Police Department in Virginia.
- In-Service/Specialized Training: Yes, in VA.
- Break in Service: No.
- CPR/1st Aid Certified: Yes – 10/13/2024.
- MPTC Firearms Certified: Yes – 10/03/2024.
- MPTC Police Officer Core Competency Exam: Yes – 10/07/2024 (74%).

A motion was made by Chief Gammel and seconded by Chief Conley to recommend to the full Committee that Benjamin Emerson be granted 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 Advisories

1. Riley Brown Mansfield PD

- Basic Training:
 - Graduated on December 16, 2022, from the Maine Criminal Justice Academy's 720-hour Basic Law Enforcement Training Program.
 - Graduated on August 3, 2020, from the Maine Criminal Justice Academy's Part-Time Law Enforcement Officer Certification program.
- Work Experience as a Law Enforcement Officer:
 - April 2023 – May 2024: full-time police officer for the Scarborough, ME Police Department.
 - December 2022 – March 2023: full-time police officer for the York, ME Police Department.
 - May 2020 – April 2022: reserve police officer for the York, ME Police Department.
- CPR/1st Aid Certified: No.
- MPTC Firearms Certified: No.
- MPTC Police Officer Core Competency Exam: No.

Mansfield PD is seeking an advisory opinion as to whether Riley Brown would qualify for an exemption from the requirement of completing a full-time MPTC operated/authorized police academy. Officer Brown graduated on December 16, 2022, from the Maine Criminal Justice Academy's 720-hour Basic Law Enforcement Training Program. She went on to work as a full-time police officer for the York, ME Police Department until March 2023 and then as a full-time officer for the Scarborough, ME Police Department from April 2023 to May 2024. She has approximately 18 months of full-time, post-academy law enforcement experience, which is 6 months short of the requisite 2 years. However, Officer Brown worked as a part-time officer for almost 2 years before entering Maine's full-time police academy. The question presented to the Subcommittee today is whether Officer Brown's part-time experience can be counted toward the 2 years of full-time law enforcement work experience required for an out-of-state exemption.

Chief Sellon of Mansfield PD was present at today's meeting to provide additional information to the Subcommittee. Mansfield PD also submitted comprehensive documentation in advance of the meeting regarding the hours worked by Officer Brown as a part-time officer and the arrests, incidents, and citations in which she was involved during that time. Chief Sellon advised that Officer Brown worked almost 1,200 hours during the 2 years in which she was a part-time officer in Maine. He said the documentation provided by Mansfield PD reflects that she was a very productive officer during that time. He believes Officer Brown is an outstanding candidate and that the spirit of the CMRs is met in this case when the totality of her experience is considered. He also noted the difficulties that departments are facing today with recruitment and retention.

Chief Gundersen stated that the rule requiring 2 years of full-time law enforcement experience for an out-of-state exemption has always been hard and fast. She also noted that there was a discussion at last month's full Committee meeting about whether the rule should be revised to be less strict, and there did not seem to be any appetite to make that change. MPTC General Counsel/Chief-of-Staff Jim O'Brien said he could only recall one instance in which part-time work was counted, but the officer had worked the part-time hours after graduating from a full-time academy.

There was consensus among the Subcommittee members present that Officer Brown's part-time work could not be counted toward the 2 years of full-time work experience required for an out-of-state exemption.

2. Joshua Aguero Southcoast Health Police Department

- Basic Training:
 - Graduated on April 11, 2013, from the Alabama Peace Officers Standards and Training Commission's 480-hour Basic Training Law Enforcement Academy.
- Work Experience as a Law Enforcement Officer:
 - April 2013 – February 2017: full-time police officer for the Selma, AL Police Department.
 - December 2020 – February 2022: full-time deputy sheriff for the Dallas County Sheriff's Department in Selma, AL.
 - June 2022 – May 2024: full-time police officer for the Selma, AL Police Department.
- In-Service/Specialized Training: Yes, in AL.
- CPR/1st Aid Certified: No.
- MPTC Firearms Certified: Yes – 8/29/24.
- MPTC Police Officer Core Competency Exam: No.

The Southcoast Health Police Department is seeking an advisory opinion as to whether Joshua Aguero would qualify for an exemption from the requirement of completing a full-time MPTC operated/authorized police academy. Officer Aguero graduated on April 11, 2013, from the Alabama Peace Officers Standards and Training Commission's 480-hour Basic Training Law Enforcement Academy. He went on to work as a full-time police officer for the Selma, AL Police Department until February 2017. From December 2020 to February 2022, he worked as a full-time deputy sheriff for the Dallas County Sheriff's Department in Selma, AL. In June 2022, he returned to Selma PD and remained there until May 2024. The question presented to the Subcommittee

today is whether Officer Aguero would qualify for an out-of-state exemption based on his police training and experience in Alabama.

Officer Aguero and Detective Kevin Paulson of Southcoast Health PD were present at today's meeting to provide additional information and answer questions from the Subcommittee. They also submitted documentation prior to today's meeting regarding additional trainings completed by Officer Aguero after he graduated from his academy. Officer Aguero clarified that he was also working at Selma PD from May 2018 to December 2020. He was in school from February 2017 to May 2018 but then returned to Selma PD.

It was discussed that the Subcommittee and Committee routinely accept New Hampshire's fulltime academy training as the substantial equivalent of our own, and MPTC General Counsel/Chief-of-Staff noted that the number of hours for their academy in 2013 was somewhere in the low 500-range. Chief Gammel noted that it appeared Officer Aguero was a member of the SWAT Team in Selma and asked if he was required to attend periodic trainings as part of that team. Officer Aguero said he completed Basic SWAT School and then attended trainings on a weekly basis once he was a member of the team.

There was consensus among the Subcommittee members present that, when considered together, Officer Aguero's training and experience in Alabama is the functional equivalent of having successfully completed a full-time MPTC academy.

IV. BRIDGE HOURS/EXEMPTIONS

Bridge Exemptions

The Standards Subcommittee considered a Bridge exemption request for Officer numbered 644 on the October Bridge Academy A-H Class List. Coursework was completed and payroll has been verified.

A motion was made by Chief Gammel and seconded by Superintendent Sullivan to recommend to the full Committee that it approve the Bridge exemption request for Officer numbered 644 on the October 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 428 through 430 on the October Bridge Academy I-P Class List. Coursework was completed and payroll has been verified.

A motion was made by Superintendent Sullivan and seconded by Chief Conley to recommend to the full Committee that it approve the Bridge exemption requests for Officers numbered 428 through 430 on the October Bridge Academy I-P Class List. A vote was taken, and the motion passed unanimously.

The Standards Subcommittee considered a Bridge exemption request for Officer numbered 342 on the October Bridge Academy Q-Z Class List. Coursework was completed and payroll has been verified.

A motion was made by Chief Conley and seconded by Superintendent Sullivan to recommend to the full Committee that it approve the Bridge exemption request for Officer numbered 342 on the October Bridge Academy Q-Z Class List. A vote was taken, and the motion passed unanimously.

V. FOUNDATIONAL TRAINING

David Tillinghast Bridgewater State University

MPTC Deputy General Counsel Gina Masotta said that Bridgewater State University advised that Chief Tillinghast is in Florida and was unable to make it back to Massachusetts for today's meeting as he was dealing with the aftermath of the recent hurricanes. It is anticipated that he will be on the agenda for the November meeting.

VI. UPDATE ON DISCIPLINARY DISMISSAL APPEALS

Hearings for the appeals of two recent disciplinary dismissals from the Boylston Academy and the Plymouth Academy need to be scheduled.

Deputy General Counsel Masotta also noted for the Subcommittee that MPTC staff is anticipating multiple instructor certification revocations based on a recent review of disciplinary records relating to MPTC-certified instructors who appear on POST's disciplinary list. She said she also anticipates that some of the instructors whose certifications are revoked will request appeal hearings. There was discussion about whether the Subcommittee members could find a few days to set aside for these hearings. MPTC General Counsel/Chief-of-Staff O'Brien said he would reach out by email regarding potential dates.

VII. ADJOURNMENT

At 10:00 a.m., a motion was made by Superintendent Sullivan and seconded by Chief Gammel to adjourn the Standards Subcommittee meeting. A vote was taken, and the motion passed unanimously.