

**Municipal Police Training Committee**  
**Monthly Meeting Minutes**

**Zoom Meeting**

**April 10, 2020**

**Call to Order**

At 10:20 AM, Chairman Jim Hicks called the monthly meeting of the Municipal Police Training Committee to order. Since this a virtual, public meeting, Chief Hicks announced that a roll call would be taken to record who is present.

**Attendees: Voting Members**

Chief Jim Hicks	Aye
John Melander	Aye
Chief Scott Livingstone	Aye
Chief Michael Botieri	Aye
Chief Brian Kyes	Aye
Chief Thomas O'Donnell	Aye
AAG Jim O'Brien	Aye
Major Michael Lyver	Aye
Officer Joseph Vieira	Aye

**MPTC Staff**

Dori-Ann Ference, ED Robert Ferullo, Joanne Gardnier, Eileen Goodick, Laura Nichols, Rick Smith, Lara Thomas and Sheila Gallagher.

**Guests**

Tom Flynn, Thomas Glynn, Steve Mullaney.

**Review/Approval of Minutes**

A motion was made to approve the minutes for the February 19, 2020, with a minor correction changing DECAM to DCAMM. The motion was seconded and a roll call was taken.

Chief Jim Hicks	Aye
John Melander	Aye
Chief Scott Livingstone	Aye
Chief Michael Botieri	Aye
Chief Brian Kyes	Aye
Chief Thomas O'Donnell	Aye
AAG Jim O'Brien	Aye
Major Michael Lyver	Aye

**Officer Joseph Vieira**

**Aye**

**The motion passed.**

**Police Standards and Training**

There were four (4) requests for temporary waivers presented to the Committee after favorable recommendations from the Standards Subcommittee.

**Temporary Waivers:**

The following requests for four (4) temporary waivers were recommended for approval by the Committee.

Kevin Brower  
Brandon Messina  
Michelle Parker  
Erica Abro

Plympton PD  
West Stockbridge PD  
Holden PD  
Bolton PD

**A motion was made to approve the request for the four (4) temporary waivers. The motion was seconded and a roll call was taken.**

<b>Chief Jim Hicks</b>	<b>Aye</b>
<b>John Melander</b>	<b>Aye</b>
<b>Chief Scott Livingstone</b>	<b>Aye</b>
<b>Chief Michael Botieri</b>	<b>Aye</b>
<b>Chief Brian Kyes</b>	<b>Aye</b>
<b>Chief Thomas O'Donnell</b>	<b>Aye</b>
<b>AAG Jim O'Brien</b>	<b>Aye</b>
<b>Major Michael Lyver</b>	<b>Aye</b>
<b>Officer Joseph Vieira</b>	<b>Aye</b>

**The motion passed.**

**Permanent Exemptions:**

The following requests for permanent exemptions were forwarded to the Committee for consideration.

**Alec Z. Goiner**

**Lowell PD**

Alex Goiner is a 2018 graduate of the New Hampshire Police Academy and has worked for the Hudson, New Hampshire Police Department since August 2018. Alec Goiner has not worked as a police officer for two (2) years which is a required by the CMRs. Additionally, Alec Goiner graduated from the New Hampshire Police Academy which is has far few hours than the Massachusetts Police Academy. Due to the hour

differential between the Massachusetts and New Hampshire Police Academies, Alec Goiner would be ineligible for an exemption even if he had worked as a police officer for two (2) years. AAG O'Brien recalled that the Committee had approved an exemption for a candidate the month before that graduated from the New Hampshire Police Academy but had also graduated from the Basic Reserve Academy in Massachusetts which made the difference.

**A motion was made to deny the permanent exemption request for Alec Goiner. The motion was seconded and a roll call was taken.**

<b>Chief Jim Hicks</b>	<b>Aye</b>
<b>John Melander</b>	<b>Aye</b>
<b>Chief Scott Livingstone</b>	<b>Aye</b>
<b>Chief Michael Botieri</b>	<b>Aye</b>
<b>Chief Brian Kyes</b>	<b>Aye</b>
<b>Chief Thomas O'Donnell</b>	<b>Aye</b>
<b>AAG Jim O'Brien</b>	<b>Aye</b>
<b>Major Michael Lyver</b>	<b>Aye</b>
<b>Officer Joseph Vieira</b>	<b>Aye</b>

**The motion passed.**

**Tomasz Tepper**

**Westborough PD**

Mr. Tepper is a 2015, graduate of the New Hampshire Police Academy and has worked as a patrolman for the Conway, New Hampshire Police Department for five (5) years. Mr. Tepper has had no break in service and he is fluent in Polish.

**Michael Fauteux**

**Carlisle PD**

Mr. Fauteux is a 1997, graduate of the New Hampshire Police Academy and he has worked as a part-time police officer with the Town of Carlisle since 2019. Mr. Fauteux retired from the Nashua Police Department in New Hampshire to begin working as a part-time police officer for the town of Carlisle. The Committee agreed to approve the permanent exemption request for Michael Fauteux since he has had no break in service and has worked as a police officer for twenty-two (22) years.

**A motion was made to approve the permanent exemption requests for Tomasz Tepper and Michael Fauteux. The motion was seconded and a roll call was taken.**

<b>Chief Jim Hicks</b>	<b>Aye</b>
<b>John Melander</b>	<b>Aye</b>

<b>Chief Scott Livingstone</b>	<b>Aye</b>
<b>Chief Michael Botieri</b>	<b>Aye</b>
<b>Chief Brian Kyes</b>	<b>Aye</b>
<b>Chief Thomas O'Donnell</b>	<b>Aye</b>
<b>AAG Jim O'Brien</b>	<b>Aye</b>
<b>Major Michael Lyver</b>	<b>Aye</b>
<b>Officer Joseph Vieira</b>	<b>Aye</b>

**The motion passed.**

### **Brendan Fitzpatrick**

### **Stow PD**

Mr. Fitzpatrick graduated from the Plymouth Police Academy 63<sup>rd</sup> Recruit Officers Course in April 2014, and became employed as a full-time police officer for Town of Weymouth. On March 1, 2018, Mr. Fitzpatrick resigned from the Weymouth Police Department. The Stow Police Department appointed Mr. Fitzpatrick as a full-time police officer on March 24, 2020. Unfortunately, Mr. Fitzpatrick's academy training expired twenty-three days ago. Mr. Fitzpatrick had an interruption in service that was under two (2) years. AAG O'Brien commented that the Stow Police Department does not need a permanent exemption for Mr. Fitzpatrick. As long as Mr. Fitzpatrick completes the requirements listed in CMR 3.04, within ninety (90) days there will be no issues.

**No vote was necessary.**

### Disciplinary Hearings:

There are two requests for disciplinary hearings. The first involves a dismissal from the Western Mass Academy. However, no documentation has been submitted at this time. The second discipline matter involves a recruit dismissed from the Cambridge Police Academy. The matter was previously scheduled for a March hearing and the recruit's attorney requested a continuance. The attorney has not rescheduled at this time. There are no timeliness issues.

### Open Discussion

Chief Hicks asked the Committee to consider whether it would extend waivers that were previously granted to recruits enrolled in academies. Many departments would like to supplement their staffing issues with the recruits that were in recruit academies that were recently suspended. Some chiefs asked whether the waivers were still active. Before the Committee weighed on this issue, ED Ferullo addressed the status of the academies.

### Curriculum Modification of Academies with COVID-19

ED Ferullo grouped the academies according to graduation dates and what training remained for academies that were suspended. The Plymouth and Reading Academies were similarly situated and most of the training that remains involves

practical exercises. ED Ferullo is seeking approval from the Committee to reduce hours and modify the academy. The goal is to graduate recruits with the appropriate training and return them safely to their departments.

Chief Hicks thanked the academies for implementing the necessary precautions. Although the decision to suspend academies was difficult, it stemmed from recruits having direct exposure with COVID-19 along with the Governor's directives. The suspension in academies will impact the scheduling of current and future academies. ED Ferullo acknowledged that the Committee will have to convene a special meeting to discuss the status of the academies and reducing the hours only for these academies.

The Committee discussed how the state police were handling these issues. Major Lyver said the state police will graduate ahead of schedule. The state police have prioritized what the recruits need to know before graduation. The colonel has received authorization to change the curriculum under G.L. c. 22C. Next week, the state police will complete the core practical exercises which include defensive tactics, emergency vehicle operations course ("EVOC"), firearms and applied patrol procedures. The state police will also use distance learning as well. After graduation, the state police will provide additional training for recruits. The state police is removing five (5) weeks in total from the academy. ED Ferullo commented that it would be challenging to require recruits to return for additional training after graduating from the academy since the MPTC academies enroll recruits from many municipalities.

ED Ferullo said he has no intent to eliminate core topics from recruit curriculum. Academy Director Gardnier said that Boylston were week six (6) when there was a COVID-19 concern. Many of the topics that recruits in Boylston were receiving involve classroom topics. AD Gardnier emphasized that the goal is to ensure that the recruits in Boylston graduate as certified officers.

Academy Director Rick Smith commented that Reading Academy's graduation is scheduled tentatively for June 12, 2020. The primary issue for the Reading Academy is EVOC scheduling. Before firearms and the remainder of the curriculum can be scheduled, EVOC will need to be finalized. The classroom portion for defensive tactics is complete and the remaining portion involves hands on exercises. The Reading Academy has temporarily moved to the Shriner's Auditorium in Wilmington. The Department of Corrections and state police have offered access to the MPTC for firearms ranges as well as access to tracks for EVOC. Academy Director Eileen Goodick said that Plymouth has completed academic portions along with firearms and EVOC. The primary concern for Plymouth is to ensure that the recruits graduate with the hands on piece for defensive tactics. Sgt. Glynn reported that the Cambridge Police Academy needs to complete applied patrol procedures, firearms and defensive tactics. All the academic classes are completed for Cambridge with the exception of the online course for a firearms a few other topics. ED Ferullo added that Northern Essex Community College ("NECC")'s closure will impact EVOC scheduling. Chief Solomon and Steve Mullaney are assisting with these issues. The Committee will have to convene a special meeting to revisit curriculum modification for the individual

academies.

Expiration of Waivers

Chief Hicks asked whether the Committee could vote on extending the waivers that were going to expire for recruits that were enrolled in the academies. Attorney John Melander commented that the Committee could vote on this issue as an emergency provision since the agenda included language related to this issue. The Committee discussed what the appropriate procedure to address this issue. Chief Hicks clarified that the Committee would vote on extending waivers that were previously granted and due to expire. The vote would not address new waivers.

AAG O'Brien relayed that the vote would include temporary waivers for recruits who were in an academy that was suspended or awaiting to enter an academy. The Committee has previously voted on these temporary waivers. ED Ferullo said that there is a mechanism that the Committee could utilize through EOPSS to extend these waivers. There was lots of discussion about the language the motion should include and whether it should specify a date.

**AAG O'Brien made a motion for anybody who has previously received a temporary waiver and has met all qualifications for that temporary waiver, the Committee will extend the period of those waivers up to October 1, 2020. For anyone whose temporary waiver extends beyond that date, the waiver will extend to the full 270 days. The motion was seconded and a roll call was taken.**

<b>Chief Jim Hicks</b>	<b>Aye</b>
<b>John Melander</b>	<b>Aye</b>
<b>Chief Scott Livingstone</b>	<b>Aye</b>
<b>Chief Michael Botieri</b>	<b>Aye</b>
<b>Chief Brian Kyes</b>	<b>Aye</b>
<b>Chief Thomas O'Donnell</b>	<b>Aye</b>
<b>AAG Jim O'Brien</b>	<b>Aye</b>
<b>Major Michael Lyver</b>	<b>Aye</b>
<b>Officer Joseph Vieira</b>	<b>Aye</b>

**The motion passed.**

Cambridge Academy

The Cambridge Academy is present and is requesting to run a second academy beginning in late May. ED Ferullo commented that Cambridge Academy is adhering to all MPTC standards and following curriculum. There was no further discussion or comments related to this request.

**Chief O'Donnell made a motion to allow Cambridge Academy to run under the same conditions as other academies. Chief Kyes seconded the motion and a roll**

call was taken.

Chief Jim Hicks	Aye
John Melander	Aye
Chief Scott Livingstone	Aye
Chief Michael Botieri	Aye
Chief Brian Kyes	Aye
Chief Thomas O'Donnell	Aye
AAG Jim O'Brien	Aye
Major Michael Lyver	Aye
Officer Joseph Vieira	Aye

The motion passed.

Executive Director Selection Process:

Chairman O'Brien said all five members of Executive Search Committee met after February meeting. All five (5) members reviewed and finalized a posting for the position. The job description was forwarded to Chief Hicks for approval from the full Committee today. There were a few questions that arose related to the selection process for the executive director.

1. Will the Executive Search Committee conduct first round interviews and will the full Committee approve the job posting?
2. Does the full Committee need to approve the interview questions?
3. How many candidates should the Committee select?
4. Will full Committee be interviewing the candidates?

Chief Kyes commented that Committee should not proceed with posting this position at this time. ED Ferullo has been phenomenal and exceeding all expectations. Although there was a timeline, COVID-19 has significantly impacted this process. The Governor has signed an emergency provision to exempt all 960s. Chief Kyes is trying to connect with Representative Tucker to modify the language included in the budget. Chief Kyes said that to post this job at this point would complicate matters. AAG O'Brien agreed that this process should be tabled in light of the current state of affairs.

**New Business**

In-service

Chief Hicks reminded the Committee that inservice topics should be finalized soon. Chief Kyes suggested implicit bias as a possible topic for three (3) hours. Chief Livingstone commented that implicit bias is relevant with the passage of the Hands-Free Legislation. There was discussion about who should deliver training. Major Lyver

explained that COVID-19 forced the state police to cancel the train-the-trainer that was scheduled for implicit bias.

Officer Wellness was another topic that was mentioned. Dori responded that this topic is critical for officers who experience stress and stigma. There was discussion about including retirement preparation within the officer wellness topic. Another topic that Dori suggested was expanding on terrorism. Chief Hicks said health and wellness, implicit bias, legal update and defensive tactics are possible topics for in-service for TY 2020-21. Chief Hicks asked that the Committee be prepared to finalize the topics for the next Committee meeting.

### Budget

ED Ferullo said that the anticipated six (6) million dollar collected in the training fund will likely be impacted by the reduction of people renting cars. There may be only one (1) million dollars available to support training for the TY 2021. Chief Hicks said suggested that there needs to be further discussion about whether the two (2) dollar bill money will be used to supplant rather than supplement MPTC's budget. Chief Kyes will participate in providing more information for the next meeting.

### Fulfillment of Inservice TY 2019-20

ED Ferullo is coordinating with Municipal Police Institute ("MPI") to fulfill the in-service training requirements that were suspended due do COVID-19. The MPTC is gathering a list of departments that were unable to complete in-service. Chief Kyes asked whether the Committee would consider extending the training year until August 31, 2020.

For members, Chief Hicks said that the Committee will host a special meeting for the Committee to vote on three (3) issues:

1. Status of curriculum for academies on hiatus now
2. Selection of FY 2020-21 in-service training year topics; and
3. Decision of completion of FY 2019-20 in-service training topics

Chief O'Donnell asked if the recruits would be engaging in distance learning for the next, three (3) weeks. ED Ferullo had reservations about using distance learning for lack of consistency. There was discussion if the recruits who are enrolled in academies that are suspended can work for their departments.

### Next Meeting

The next meeting is scheduled for **Wednesday, May 20, 2020** through zoom.

### Adjournment

**At 12:05PM, Chief O'Donnell made a motion adjourn the meeting. Chief Livingstone seconded and a roll call was taken.**

**Chief Jim Hicks**

**Aye**



<b>John Melander</b>	<b>Aye</b>
<b>Chief Scott Livingstone</b>	<b>Aye</b>
<b>Chief Michael Botieri</b>	<b>Aye</b>
<b>Chief Brian Kyes</b>	<b>Aye</b>
<b>Chief Thomas O'Donnell</b>	<b>Aye</b>
<b>AAG Jim O'Brien</b>	<b>Aye</b>
<b>Major Michael Lyver</b>	<b>Aye</b>
<b>Officer Joseph Vieira</b>	<b>Aye</b>

**The motion passed.**