# Municipal Police Training Committee

# Monthly Meeting Minutes

# Zoom Meeting

# May 20, 2020

**Call to Order**

At 10:33 AM, Chairman Jim Hicks called the monthly meeting of the Municipal Police Training Committee to order. Chief Hicks announced that a roll call would be taken to record who is present because the meeting was virtual. ED Ferullo announced that Andrea Nardone is the new Director of Training for the Municipal Police Training Committee.

# Attendees: Voting Members

**U/S Terrence Reidy Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**Chief Jim Hicks Aye**

# MPTC Staff

Dori-Ann Ference, ED Robert Ferullo, Joanne Gardnier, Eileen Goodick, Andrea Kenney, Maura Landry, Lisa Lane McCarty, John Melander, Nardone, Laura Nichols, Larry Norman, Lisa Ann Reich, Rick Smith, Lara Thomas, Joe Witkowski, and Sheila Gallagher.

# Guests

Dave Bento, Joe Cecchi, Donna DaVeiga, Lt. Fay, Tom Flynn, Thomas Glynn, Jim Mulcahy, Steve Mullaney, Peter Roddy, Jeffery Scott and Timothy Watts.

# Review/Approval of Minutes

**A motion was made to approve the revised minutes for the April 10, 2020, minutes for the April 24, 2020, meeting. The motion was seconded and a roll call was taken.**

**U/S Terrence Reidy for April 24th minutes Aye**

**John Melander for April 10th minutes Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**Chairman Jim Hicks Aye**

**The motion passed.**

# Police Standards and Training

There were eight (8) requests for temporary waivers presented to the Committee after favorable recommendations from the Standards Subcommittee.

Temporary Waivers:

The following requests for eight (8) temporary waivers were recommended for approval by the Committee.

Brady Abraham Methuen PD

Dylan Bencivenga Lenox PD

Scott Denicola Plympton PD

Peter Fidrych Beverly PD

Stephen Houle Hardwick PD

Harold Marshall Lakeville

Matthew Morin Erving, PD

Brandon Robert Newell Athol, PD

Charles Frank Pinder Athol, PD

Chief O’Donnell commented that the Hardwick Police Department was seeking an exemption for Stephen Houle from the part-time academy and not a temporary waiver. In 2012, Stephen Houle graduated from the Central Massachusetts Chiefs of Police Reserve Academy and two months later he was deployed on active duty. Upon hearing from Chief O’Donnell, the Committee agreed to separate this request from the above waivers.

Chief Hicks also asked about whether Scott Denicola and Peter Fidrych had previously received temporary waivers. ED Ferullo explained that both were enrolled in MPTC academies that were suspended due to COVID-19. The departments were seeking waiver requests for Denicola and Fidrych to work while the academies were suspended. For simplicity purposes, the Committee agreed to grant waiver requests for 270 days even though Denicola and Fidrych should return to the academies within ten (10) days.

**AAG O’Brien made a motion to approve the waiver requests for Abraham, Bencivenga, Denicola, Fidrych, Morin, Newell and Pinder. Chief O’Donnell seconded the motion and a roll call was taken.**

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Absent**

**AAG Jim O’Brien Aye**

**The motion passed.**

The Committee asked whether Harold Marshall’s work experience only included details. After further discussion, the Committee agreed to table a vote for Harold Marshall’s temporary waiver request until it received additional information. Chief Botieri clarified that the Subcommittee did not make a recommendation because it needed additional information.

**AAG O’Brien made a motion to table a vote related to the waiver request for Harold Marshall until the Committee receives additional information about his work history. Chief Livingstone seconded the motion and a roll call was taken.**

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Absent**

**AAG Jim O’Brien Aye**

**The motion passed.**

The Committee revisited the exemption request for Stephen Houle pursuant to CMR 3.04 (2). AAG O’Brien clarified that the Hardwick Police Department is asking the Committee to waive the requirement that a student office be employed within two (2) years of graduating from a reserve academy. A student officer who does not become employed within two (2) years of graduation due to military activation may seek to waive this requirement. Stephen Houle was deployed on active duty two months after he graduated from a reserve academy in 2012. He is scheduled to be discharged on July 23, 2020. Chief Hicks commented that this is a nuanced request because the Hardwick Police Department is requesting that the Committee allow his reserve academy status to be reinstated and grant Houle an exemption to work part-time. Chief Kyes asked whether it was necessary for Houle to request an exemption since his military activation stops the clock at the two (2) year requirement. The Committee questioned whether Stephen Houle was certified in firearms and CPR/First Responder and whether he had completed in-service. Since the Committee did not have all the information it needed to make a decision, it decided to table a vote for the next meeting.

**Chief Kyes made a motion to table a vote related to Stephen Houle’s request for the next Committee meeting. Superintendent Sullivan seconded the motion and a roll call was taken.**

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**The motion passed.**

Permanent Exemptions:

There was one request for a permanent exemption which was forwarded to the Committee for consideration.

**Brian O’Keefe Sherborn PD**

Brian O’Keefe was a self-sponsored candidate who graduated from the Reading Police Academy in August 2017. He has completed all in-service requirements and the town of Sherborn is prepared to hire him as a full-time police officer. Unfortunately, the town delayed appointing Brian O’Keefe as a full-time police officer last year and his academy training expired. Under the current CMRs, Brian O’Keefe will have to attend a full-time police academy again. In January, the Committee revised the CMRs and part of the revision included extending the time frame for academy graduates to find a job from two (2) to three (3) years. The revised CMRs were scheduled to be heard during a public comment session in April. The session was cancelled due to COVID-19. The Committee discussed that if the public comment session had occurred in April, Brian O’Keefe’s academy training would likely be valid.

Chief Hicks asked when the public comment session could be rescheduled. Attorney John Melander explained that the public comment session has strict timelines. The earliest the session could take place would be within two (2) months. One option the Committee could consider is promulgating the CMRs on an emergency basis. If the Committee pursued this option, and the CMRs were promulgated on an emergency basis, it would have ninety (90) days to hold the public comment session. If the timeframe exceeded ninety (90) days, the CMRs would expire. The MPTC needs to discuss internally whether it wants to pursue promulgating the CMRs on an emergency basis or pursue the traditional timeline.

There was discussion whether promulgating the CMRs on an emergency basis would provide sufficient time to get the public comments session scheduled. Lt. Bento from the Sherborn Police Department explained that staffing is depleted and that O’Keefe is currently working as a dispatcher. The recommendation from the Standards Subcommittee was to table this request pending the resolution of the CMRs.

**Chief Botieri made** **a motion to table the request pending the CMR change. Chief O’Donnell seconded the motion and a roll call was taken.**

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Absent**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**The motion passed.**

**Disciplinary Hearings**

ED Ferullo said he had two (2) disciplinary hearings that were pending. One matter involves a dismissal from the Cambridge Academy and the attorney requested rescheduling the matter due to COVID-19. The second matter involves a dismissal from the Western Mass Academy. ED Ferullo will have hearing dates prior to the next meeting.

# In-Service Topics

Chief Hicks asked the Committee to consider whether it had decided on topics for in-service. The Committee had previously discussed the following: Legal Updates, Defensive Tactics, Officer Health and Wellness and Implicit Bias for possible topics. The MPTC is also considering topics that could translate to remote learning.

# Chief Hicks asked whether marijuana or red flag legislation would be options. ED Ferullo added that the Registry of Motor Vehicles has a block that can be included in Legal Updates. There was some discussion about offering a block on motor vehicle stops. Chief Hicks added that his officers ask for practical trainings. However, in light of COVID-19, it is unclear whether in-service will be offered in the classroom or through remote learning. Peter Roddy suggested a block related to civil rights when responding to state of emergencies. Dori mentioned that domestic terrorism is a prevalent topic in the current climate. There was lots of discussion about topics.

# Chief Botieri made a motion to approve the following topics for in-service TY 2020-21.

**Legal Updates full day**

**Defensive Tactics ½ day**

**Officer Health and Wellness ½ day**

**Implicit Bias ½ day**

**Domestic Terrorism ½ day**

**Responding to COVID-19 and states of emergencies ½ day**

**Local Option ½ day**

**Chief O’Donnell seconded the motion and a roll call was taken.**

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**The motion passed.**

**Remainder of In-service Training for TY 2019-20**

ED Ferullo offered to supplement officers that were not able to complete the previously scheduled in-service requirements through MPTC academies due to COVID-19. The MPTC has contracted with MPI to offer the training to officers who were enrolled to take in-service at a MPTC operated facility. The MPTC did not include departments that had retained private entities or decided to train within their department for in-service this training year. ED Ferullo said there has been a groundswell of requests to include these departments and he is seeking guidance from the Committee how to respond. The cost to train the officers with MPI is seventy-five dollars a person and it is available until August 31, 2020. Chief Hicks said the MPTC should focus on the departments that were registered through ACADIS to take MPTC classes at MPTC facilities. There was also discussion whether the MPTC should include part-time officers for in-service training. The Committee also discussed how the MPTF is statutorily allocated for full-time police officers and not part-time officers.

Chief Livingstone asked whether there will be deferral or grace period to allow departments to complete the training. ED Ferullo said that the MPTC operates on a schedule that coincides with the fiscal year. However, some departments schedule training on the calendar year. There is no requirement that the departments adhere to the same schedule as the MPTC as long as the departments complete the requirements for in-service. Chief Kyes asked whether the MPTC would pay for a department that had contracted with MPI to receive its training prior to COVID-19. There was further discussion and the Committee agreed that the MPTC is offering an alternative only for departments that were scheduled to attend in-service at a MPTC facility. Since these departments had not budgeted for this change and were relying on the MPTC for in-service training, the MPTC has agreed to pay for in-service for those departments.

**Chief O’Donnell made** **a motion to support the Executive Director’s proposal to fund the FY 2020 in-service. Undersecretary Reidy seconded the motion and a roll call was taken.**

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Abstained (MPI Board of Director)**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**The motion passed.**

The Committee agreed to table some items on the agenda due to time constraints. There will be a Special Committee meeting to discuss reopening plans for the academies. ED Ferullo announced that the MPTC has provided the Department of Public Health with its reopening plan for the academies which are scheduled to resume on June 1, 2020. Chief Kyes added that the Standards Subcommittee may reconvene to discuss a possible revision with the CMRs which the Committee had approved in January 2020.

**Next Meeting**

The next meeting is scheduled for **Wednesday, June 17, 2020,** virtually through zoom.

# Adjournment

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

**U/S Terrence Reidy Aye**

**Chief Jim Hicks Aye**

**Chief Michael Botieri Aye**

**Chief Brian Kyes Aye**

**Chief Scott Livingstone Aye**

**Chief Thomas O’Donnell Aye**

**Superintendent Richard Sullivan Aye**

**Major Michael Lyver Aye**

**AAG Jim O’Brien Aye**

**The motion passed.**