

Municipal Police Training Committee
Committee Meeting Minutes
MPTC Headquarters, Randolph
June 12, 2024

Call to Order

On June 12, 2024, at 10:17 a.m., Chief James Hicks called the monthly meeting of the Municipal Police Training Committee to order at 42 Thomas Patten Drive, Randolph, MA. Advance notice of the meeting was posted in compliance with the open meeting laws. A quorum of the fifteen-member Committee was present. The meeting was recorded and broadcast over Microsoft Teams.

Attendees: Voting Members

Chief James Hicks	Present
Chief Brian Clark	Present
Chief Edward Conley	Present
Chief Jennifer Gundersen	Present
Atty. Stacey Pichardo	Present
Major Jon Provost	Present
Undersecretary Gina Kwon	Present
Superintendent Richard Sullivan	Present
Ret. Officer Joseph Vieira	Present

EOPSS/MPTC Staff

Executive Director Robert Ferullo, Atty. Jim O'Brien, Atty. Gina Masotta, Atty. Andrea Nardone, Lara Thomas, Atty. Denise Flagg, Atty. John Melander, Brian Merrick, Steven Cromack, Elsie Sanon, Felisha Arnold, Lisa Kaynakian, Yola Cabrillana, Mary DeFrancesco, Hallie Dyer, Hannah Gianfriddo, Jennifer Sears, Charmagne Pearson, Cassandra Cahill, Eric Lederman, Kathleen Berry, Kristen Lydon, John Mazza, and James Gribaudo.

Guests

Topsfield PD Chief Neal Hovey, Ashfield PD Chief Beth Bezio, Goshen PD Chief Fred Bezio, Officer Eric Haberman, and Atty. Austin Joyce.

Announcements

Ret. Officer Vieira announced that today is his last meeting as a member of the Committee and introduced Detective Jennifer Sattler of Holyoke PD, who is joining the Committee as the new MPA representative. Detective Sattler has been with Holyoke PD for just under 30 years and is also an MPTC instructor. Detective Sattler said she is happy to be here and looking forward to being part of the Committee. Chief Hicks welcomed her and said he is confident that she will be as committed as every other member of the Committee to the Agency's police training mission.

Review/Approval of Meeting Minutes

Chief Hicks asked that one change be made to the draft of the minutes for the May 29, 2024 Committee Meeting. He noted that on the last page, in the section titled “Next Meeting,” it should say that he commended Chief Nee for how well she represented MAWLE, not campus police.

A motion was made by Chief Gundersen and seconded by Chief Clark to approve the minutes of the May 29, 2024 meeting with the change requested by Chief Hicks. A vote was taken, and the motion passed with two abstentions (Chief Conley and Ret. Officer Vieira).

Police Standards and Training

Temporary Waivers

There were no temporary waiver requests on the June agenda.

Out-of-State Exemptions

There were four out-of-state exemption requests on the June agenda.

Edouardo St. Fort	UMass Boston
Neil L. Rodman	Western New England University
Alain J. Bisson	Western New England University
David R. Powers	Ludlow PD

At its meeting earlier today, the Standards Subcommittee reviewed and made a favorable recommendation to approve the exemption requests for all four of the above-named officers.

A motion was made by Ret. Officer Vieira and seconded by Chief Clark to approve the out-of-state exemptions for Edouardo St. Fort, Neil Rodman, Alain Bisson, and David Powers. A vote was taken, and the motion passed unanimously.

Bridge Academy Exemptions

There were no Bridge exemption requests this month for the Bridge Academy A-H or I-P lists.

Bridge exemption requests for Officers numbered 309 through 323 on the June Bridge Academy Q-Z List were reviewed and recommended by the Standards Subcommittee. Coursework was completed and payroll has been verified.

A motion was made by Chief Gundersen and seconded by Ret. Officer Vieira to approve the Bridge exemption requests for Officers numbered 309 through 323 on the June Bridge Academy Q-Z Class List. A vote was taken, and the motion passed unanimously.

Bridge Hours

At last month's Subcommittee meeting, MPTC staff sought guidance from the Subcommittee on a Bridge exemption request submitted by Ashfield PD for Officer Eric Haberman which presents an interruption-in-service issue. Officer Haberman graduated from a reserve/intermittent academy in February 2012. He was appointed a part-time officer for Goshen PD in July 2021 and then sworn as a full-time officer for Ashfield PD in November 2021. Ashfield PD sponsored Officer Haberman for Bridge and attested that he had not had any interruption-in-service of more than five years. After Officer Haberman completed his Bridge coursework, Ashfield PD submitted payroll records to MPTC staff for the 2,400-hour requirement. The payroll records included hours he worked for Ashfield PD from November 2021 to April 2024, hours he worked for Goshen PD from July 2021 to April 2024, and hours he worked for West Springfield PD from 2012 to 2014. MPTC staff inquired as to whether and where Officer Haberman worked between 2014 and 2021. West Springfield PD advised that they sponsored Officer Haberman for the reserve/intermittent academy, and he worked for them as a special police officer from the time he graduated in 2012 until October 30, 2014. According to the information obtained by MPTC staff, Officer Haberman was out of the law enforcement field entirely until August 2020 (more than five years later), when he was appointed as a deputy sheriff by the Hampden County Sheriff's Office. Hampden provided MPTC staff with his appointment certificate, which is dated August 5, 2020. Hampden also advised that Officer Haberman was hired to work details only, which are not the type of law enforcement shifts that would be counted toward the 2,400-hour Bridge requirement. The question for the Subcommittee was whether Officer Haberman has had an interruption-in-service of more than five years that would make him ineligible for a Bridge exemption.

Officer Haberman, Chief Beth Bezio of Ashfield PD, and Chief Fred Bezio of Goshen PD were present at last month's Subcommittee meeting and provided additional information. They advised that Officer Haberman's appointment with West Springfield PD ran through September 3, 2015, and said that is the date on which they relied to determine his interruption in service. They also advised that they believed he was appointed by Hampden as a deputy sheriff in February 2020 based on information that previously appeared in Acadis. (Officer Haberman's appointment date with Hampden has since been corrected in Acadis based on the appointment certificate produced by Hampden.) There was extensive discussion about when Officer Haberman actually worked for the various agencies by whom he's been employed since the language in 550 CMR 3.04 references interruptions in service of five or more years where an officer has "*not performed police duties and functions.*" Ultimately, the Subcommittee members present at last month's meeting voted to table the matter until this month to give Officer Haberman more time to gather additional information about his work history and dates of employment.

Officer Haberman, Chief Beth Bezio, Chief Fred Bezio, and Atty. Austin Joyce were present at today's Subcommittee meeting. After additional discussion about the issue, the Subcommittee voted this morning to refer to the full Committee the question of whether to use appointment dates to determine Officer Haberman's interruption in service.

Chief Hicks asked what was submitted for work hours from October 2014 through August 2020. Chief Gundersen said that nothing was submitted for that time period because Officer Haberman did not work any shifts. Chief Beth Bezio said that when she was calculating Officer Haberman's break

in service, she believed it to be 4 years and 11 months because she used the end date of his West Springfield PD appointment, which was September 3, 2015, and the start date of his appointment as a deputy sheriff in Hampden, which was August 5, 2020. She stated that she used appointment dates because she knows that, in Western Mass, part-time officers are not always called to work and can sometimes go months without working. Chief Hicks sought clarification as to whether there are any records to indicate that Officer Haberman performed any police duties or functions – such as arrests, motor vehicle stops, citations, or reports – from October 2014 through August 2020. Officer Haberman confirmed that there are no such records.

Chief Gundersen said she doesn't think there is any question that Officer Haberman had a break in service beyond 5 years, but she believes Ashfield PD used appointment dates in good faith when they sponsored him for Bridge. Chief Gundersen asked whether there is anything we can do to remedy this – for example, by imposing additional training – since Officer Haberman has now completed the Bridge program and worked his 2,400 hours from 2021 to 2024 with Ashfield PD and Goshen PD. Ret. Officer Vieira expressed concern about setting a precedent for going outside what the CMRs require for interruptions in service. Chief Gundersen said she does not believe it would set a precedent because this is a unique set of circumstances and Bridge is almost done.

Chief Hicks said Officer Haberman was not eligible for Bridge because he had a break in service of more than 5 years at the time he enrolled, and he cannot recall a time when the Committee has ever allowed additional training to remedy a break in service. He also discussed how there have been other officers who were not allowed into the Bridge program because they had a 5-year break in service and the Committee has always used dates of police service, rather than appointment dates, to determine breaks in service. Chief Hicks stressed how important it is for the Committee to be consistent on these issues.

A motion was made by Chief Gundersen and seconded by Chief Clark that Officer Haberman's break in service ran from his last date of appointment with West Springfield PD, September 3, 2015, until his appointment as a deputy sheriff for the Hampden County Sheriff's Office on August 5, 2020, which would not have been in excess of 5 years. A vote was taken, and the motion failed with 7 oppositions (Chief Hicks, Chief Conley, Undersecretary Kwon, Atty. Pichardo, Major Provost, Superintendent Sullivan, and Ret. Officer Vieira).

A motion was made by Atty. Pichardo and seconded by Superintendent Sullivan that Officer Haberman's break in service ran from the last date on which he worked for West Springfield PD, October 31, 2014, until his appointment as a deputy sheriff for Hampden on August 5, 2020, which is in excess of 5 years. A vote was taken, and the motion passed with two oppositions (Chief Gundersen and Chief Clark).

Disciplinary Dismissal Appeal Hearings Update

A disciplinary dismissal appeal hearing for former Student Officer Kyle DeCoste, who was dismissed from the Randolph Academy, is scheduled for today at 12:30 p.m.

Executive Director's Report

Budget. MPTC Budget Director Ara Nersessian presented a budget update for FY25, a copy of which was provided to the Committee at today's meeting. He reported that we anticipate a 17% growth in our main appropriation, which is an exciting opportunity. A comparison of the MPTC's budget now to our budget in Fiscal Year (FY) 2021 shows a growth of approximately 340%, which reflects the success of advocacy efforts and indicates that the legislature sees the need for increased police training in the wake of police reform. Budget Director Nersessian also discussed how the cap on our recruit retained revenue fund increased from \$1.8M to \$2.8M from FY23 to FY24, and our MPTF fund has been increasing. The budget presentation materials provided to the Committee today also show our instructor training costs, including a breakout into costs for recruit, Bridge, in-service, specialized and train-the-trainer training. Running larger academy classes in FY24 in our Lynnfield Academy saved us money. It costs about \$300,000 to run a class of 50 student officers.

Superintendent Sullivan asked how many fulltime employees (FTEs) the MPTC currently has. Budget Director Nersessian reported that we currently have 54 FTEs and the ability to hire 2 more in FY25 for a total of 56 FTEs.

Chief Hicks noted that one of the Committee's statutory responsibilities is to approve the MPTC's budget and make a recommendation to the Secretary.

A motion was made by Ret. Officer Vieira and seconded by Chief Gundersen to approve the budget presented today. A vote was taken, and the motion passed unanimously.

Basic Training. Chief of Training Andrea Nardone presented an update on recruit academies, including academy start dates, graduation dates, and demographics.

In-Service and Specialized Training. Chief of Training Nardone presented an update on TY24, as it winds down.

ASHER. John Mazza presented an update on ASHER training. An executive summary was included in the materials provided to the Committee for today's meeting. The summary highlights what has been accomplished to date and where we are looking to go from here. We need four things simultaneously for ASHER training: instructors, equipment, venues, and students. Securing training venues continues to be challenging, and some students have been forced to drop out of training due to scheduling and/or budget conflicts beyond their control. Despite these challenges, we have made significant progress, as outlined in the executive summary.

Bridge Academy. Deputy Chief of Training Lara Thomas presented an update on the Bridge Academy. She reported that we had our last tester today. Everyone else in Bridge who is not on leave has completed the coursework. The Committee's materials for today's meeting contain stats on what those on leave have left to complete. After today, there are approximately 318 officers enrolled across 3 classes who have until January 1, 2027 to submit their 2,400 hours.

Facilities. Executive Director Ferullo reported that construction on the East Falmouth facility is progressing.

Old Business

Working Groups. Executive Director Ferullo reported that there were no updates for working groups today.

POST Subcommittee on Certification. Chief Hicks reported that there was no new information relative to POST's Subcommittee on Certification since the last Committee meeting.

Revised/Updated Annual First Responder Training Standards. MPTC General Counsel/Chief-of-Staff Jim O'Brien presented a "redlined" version of the revised/updated Annual First Responder Training Standards to highlight a few changes that MPTC staff made since the last meeting when the draft was initially presented to the Committee for review. Atty. O'Brien went through the changes for the Committee. MPTC's Statewide Coordinator for CPR/First Aid, Chief Neal Hovey of Topsfield PD, was present at today's meeting to discuss some of the changes and why he supports them. One of those changes is that police officers who are either an EMT or a paramedic are exempt from the annual CPR/First Aid training requirements. Chief Hovey explained that EMTs and paramedics are required to complete more comprehensive bi-annual CPR/First Aid training than police officers, and it would be redundant to require them to complete our training every year on top of their ongoing EMT/Paramedic training requirements. Since they already meet or exceed our training requirements, they should be able to upload their EMT or paramedic certification cards to Acadis. Chief Hovey also addressed the provision in the First Responder Training Standards that requires First Aid training to be delivered by MPTC-certified instructors, unlike CPR training which can be delivered by people trained and certified by other organizations. Chief Hovey explained that there is a distinction between CPR and First Aid training because CPR is a national curriculum, while our First Aid curriculum is unique to Massachusetts and has been customized to make it compatible with Massachusetts statutes and regulations. Chief Hovey said that if First Aid were not taught by MPTC-certified instructors, we would have police officers trained to different levels. Atty. O'Brien noted that First Aid can be taken online, so it should not be a hardship for smaller departments that might have relied on non-MPTC instructors.

A motion was made by Ret. Officer Vieira and seconded by Chief Gundersen to approve the Annual First Responder Training Standards as presented. A vote was taken, and the motion passed unanimously. (The approved Annual First Responder Training Standards will become effective July 1, 2024.)

Revised/Updated Annual ECW Training Standards. Chief of Training Nardone advised that the final draft of the revised/updated Annual Electronic Control Weapon (ECW) Training Standards is in the Committee's packet today and is ready for a vote. She noted that the standards essentially mirror the regulations. Undersecretary Kwon suggested that the certification form on page 3 should include a line for the signor's printed name.

A motion was made by Ret. Officer Vieira and seconded by Chief Gundersen to approve the Annual ECW Training Standards, with the addition of a line for the signor's printed name on the certification form. A vote was taken, and the motion passed unanimously. (The approved First Responder Training Standards will become effective July 1, 2024.)

MPTC Certified Instructor Code of Conduct – Revised/Updated. MPTC Deputy General Counsel Gina Masotta reported that a final draft of the revised/updated MPTC Certified Instructor Code of Conduct is in the Committee’s materials for today’s meeting and is ready for a vote. As discussed at last month’s meeting, the primary proposed change to the Code would give instructors an affirmative obligation to notify the MPTC if they are not in “good standing” with their departments and of any other misconduct or circumstances that could reflect negatively on their professionalism, character, or integrity. The revised Code would also give the MPTC an obligation to notify an instructor’s department of any potential Code violations by the instructor of which the MPTC becomes aware and prohibit fraternization between instructors and student officers during an MPTC operated/authorized academy and for six months following academy graduation. Deputy General Counsel Masotta explained that the proposed changes are the result of internal discussions among MPTC staff following the release of a disciplinary list by POST. There are MPTC instructors on the list, and MPTC staff do not have the information they need to evaluate whether those instructors are in violation of the Code of Conduct. MPTC staff believes that the proposed revisions to the Code will help remedy this going forward. Deputy General Counsel Masotta said that if the Committee approves the revised/updated Instructor Code of Conduct, MPTC staff intends to reach out to the MPTC instructors on POST’s disciplinary list and their respective departments for information/documentation regarding the disciplinary violations so we can evaluate whether those instructors are in violation of the Code of Conduct and whether their instructor certifications should be suspended or revoked.

A motion was made by Chief Conley and seconded by Chief Gundersen to approve the updated MPTC Certified Instructor Code of Conduct as presented. A vote was taken, and the motion passed unanimously. (The updated Code became effective immediately upon its passage.)

New Business

MPTC Regulations (550 C.M.R. 3.00) – Revised/Updated. EOPSS Deputy General Counsel John Melander reported that MPTC and EOPSS staff have been working on revisions to our CMRs that would address some of the issues discussed at prior meetings. A draft of those revisions is included in the materials provided to the Committee for today’s meeting. Chief Hicks asked the Committee members to review the proposed revisions and be prepared to discuss them at the next meeting.

Next Meeting

The next Committee meeting is scheduled for July 17, 2024, at 10:00 a.m., at the Holyoke Academy.

Chief Hicks reminded the Committee members that today is Ret. Officer Vieira’s last meeting. Chief Hicks praised his longstanding commitment to the police profession and to the Committee and its mission. He thanked Ret. Officer Vieira for always being willing to speak up and to challenge the Committee in ways that made us think about how we can do better. Chief Hicks congratulated Ret. Officer Vieira on his retirement and for all the work he has done here and the impact he has made on police training. Ret. Officer Vieira thanked Chief Hicks and said his 13 years with the Committee was a great experience from beginning to end. Ret. Officer Vieira said he has learned a lot, made a lot of good friends, and had an opportunity to work with many dedicated people. He believes the Committee is in capable hands with Det. Sattler, and he praised the amount of good work being done at the MPTC.

Chief Hicks also reminded the Committee that today is Deputy Chief of Training Lara Thomas's last meeting before she leaves the MPTC and moves on to a new position. Chief Hicks recalled that she started at the MPTC as an Academy Director at a challenging time, when we were looking to implement the first new recruit curriculum in 25 years. She accepted the challenge without hesitation and took the opportunity to ask what we can do better. She has influenced every aspect of police training during her time with the MPTC and has led us to where we are today. Chief Hicks thanked Deputy Chief of Training Thomas for all her work and dedication over the years. Deputy Chief of Training Thomas thanked Chief Hicks and said it has been an honor to work at the MPTC.

Adjournment

At 12:57 p.m., there was a motion by Ret. Officer Vieira and seconded by Chief Conley to adjourn the meeting. A vote was taken, and the motion passed unanimously.