

Municipal Police Training Committee
Full Committee Monthly Meeting Minutes
MPTC Headquarters, Randolph, MA
September 25, 2024

Call to Order

On September 25, 2024, at 10:11 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
Deputy Chief Christine Amendola	Present
Superintendent Nora Baston	Present (absent before <i>Bridge Hours</i>)
Chief Brian Clark	Present
Chief Edward Conley	Present
Sheriff Kevin Copping	Present
Sheriff Christopher Donelan	Present
Chief Thomas Gammel	Present
Chief Jennifer Gundersen	Present
Undersecretary Gina Kwon	Present
Attorney Stacey Pichardo	Present
Major Jon Provost	Present
Detective Jennifer Sattler	Present
Superintendent Richard Sullivan	Present

EOPSS/MPTC Staff

Atty. John Melander, Atty. James O'Brien, Atty. Gina Masotta, Atty. Andrea Nardone, Tanya Hardiman, Lisa Caputo, James Gribaudo, Jen Sears, Lynda Kearns, Kathleen Berry, Amy Fanikos, Aiesha Grenier, Brian Merrick, Jason Brennan, Felisha Arnold, Sarah Wentzell, Eric Lederman, Sabrina Perez-Martinez, Cassandra Cahill, Denise Flagg, and Lt. Jason Brennan.

Guests

Stephen Toom, Robert Vitale, Courtney Madden, Richard Tracy, and Chief Thomas Ford.

Presentation of Performance Recognition Awards

Chief Hicks presented performance recognition awards to the following Bridge Academy staff and Statewide Coordinators for their remarkable efforts and contributions to the success of the Bridge Academy Training Program:

Elsie Sanon, Bridge Academy Director
Felisha Arnold, Bridge Academy Program Coordinator
Sarah Wentzel, Bridge Academy Program Coordinator
Lieutenant Jason Brennan, MPTC Firearms Statewide Coordinator
Officer Charles DiChiara, MPTC Defensive Tactics-Use of Force Statewide Coordinator
Lieutenant Phillip Wilgus, MPTC EVOC Statewide Coordinator

The team is responsible for helping more than 1,300 officers complete the Bridge Academy through online training, in-person training, written exams, confirmation of patrol work, and more. The team embraced every challenge with this program. Their work enhanced the quality of training and development opportunities that ensure Massachusetts law enforcement officers meet the highest standards of excellence.

Review/Approval of Meeting Minutes

A motion was made by Sheriff Donelan and seconded by Atty. Pichardo to approve the minutes of the August 21, 2024, meeting. A vote was taken, and the motion passed with two abstentions (Chief Gundersen and Chief Gammel).

Police Standards and Training

Temporary Waivers

There were no temporary waiver requests on the September agenda.

Out-of-State Exemptions

There were five out-of-state exemption requests on the September agenda:

Geoffrey Noble	Massachusetts State Police
Stephen Toom	UMass Lowell
Barry Newcomb	NECC
Ricky Digrugilliers	Greenfield PD
John Grella	Essex County Sheriff's Department

At its meeting earlier today, the Standards Subcommittee reviewed and made a favorable recommendation to approve the exemption request for Geoffrey Noble.

A motion was made by Sheriff Coppinger and seconded by Superintendent Baston to approve the out-of-state exemption request for Geoffrey Noble. A vote was taken, and the motion passed with one abstention (Major Provost).

At its meeting earlier today, the Standards Subcommittee reviewed and made a favorable recommendation to approve the exemption requests for Stephen Toom, Barry Newcomb, and Ricky Digrugilliers.

A motion was made by Chief Gundersen and seconded by Chief Gammel to approve the out-of-state exemption requests for Stephen Toom, Barry Newcomb, and Ricky Digrugilliers. A vote was taken, and the motion passed unanimously.

At its meeting earlier today, the Standards Subcommittee reviewed and made a favorable recommendation to approve the exemption request for John Grella.

A motion was made by Superintendent Sullivan and seconded by Atty. Pichardo to approve the out-of-state exemption request for John Grella. A vote was taken, and the motion passed with one abstention (Sheriff Coppinger).

Bridge Academy Exemptions

Bridge exemption requests for Officers numbered 642 and 643 on the September Bridge Academy A-H Class List were reviewed and recommended by the Standards Subcommittee. Coursework was completed and payroll has been verified.

A motion was made by Sheriff Coppinger and seconded by Chief Gammel to approve the Bridge exemption requests for Officers numbered 642 and 643 on the September Bridge Academy A-H Class List. A vote was taken, and the motion passed unanimously.

Bridge exemption requests for Officers numbered 426 and 427 on the September Bridge Academy I-P Class List were reviewed and recommended by the Standards Subcommittee. Coursework was completed and payroll has been verified.

A motion was made by Superintendent Baston and seconded by Chief Gundersen to approve the Bridge exemption requests for Officers numbered 426 and 427 on the September Bridge Academy I-P Class List. A vote was taken, and the motion passed unanimously.

Bridge exemption requests for Officers numbered 338 through 341 on the September Bridge Academy Q-Z Class List were reviewed and recommended by the Standards Subcommittee. Coursework was completed and payroll has been verified.

A motion was made by Superintendent Baston and seconded by Sheriff Coppinger to approve the Bridge exemption requests for Officers numbered 338 through 341 on the September Bridge Academy Q-Z Class List. A vote was taken, and the motion passed unanimously.

Bridge Hours – Alfred Wood

Earlier this year, the Norfolk County Sheriff's Office submitted a Bridge exemption request for Deputy Sheriff Alfred Wood, who has held the title of Deputy Sheriff (DS) since 1980. The hours that Norfolk asked MPTC staff to count toward the 2,400-hour Bridge requirement were hours he worked from 2008 to 2010 in the Operations Division. However, from 2010 to the present, DS Wood has worked in Norfolk's Civil Process Division and historically Civil Process hours have not been counted for Bridge purposes based on guidance that MPTC staff has received from the Committee. Norfolk and DS Wood have appeared before the Subcommittee at two prior meetings regarding whether DS Wood's work in the Civil Process Division over the last 13+ years constitutes the type of law enforcement hours that should be counted for Bridge and, if not, whether he has had an

interruption-in-service that would prevent MPTC staff from counting his 2008-2010 hours. After extensive discussion about DS Wood's duties and responsibilities in the Civil Process Division, the Subcommittee members present at the April 2024 Subcommittee Meeting voted unanimously to not count the hours he worked in the Civil Process Division for Bridge purposes. They also voted unanimously that his time in the Civil Process Division constitutes a break-in-service (meaning his hours from 2008 through 2010 cannot be counted). DS Wood appeared before the full Committee in April 2024, but the matter was tabled until such time that Sheriff Coppinger and Sheriff Donelan could both be present for the discussion.

Norfolk's General Counsel, Courtney Madden, was present at today's meeting to provide additional information and answer questions from the Committee. She said she understands the Committee's previous decisions regarding Civil Process work and isn't asking the Committee to revisit that issue, but she believes that Enforcement Deputies, like DS Wood, straddle the line because they make capias arrests, handle the related custodies and transports, and execute administrative search warrants.

There was extensive discussion regarding whether the duties of an Enforcement Deputy in Norfolk's Civil Process Division constitute law enforcement work for Bridge purposes. Chief Gundersen said that capias arrests and administrative warrants are the result of an order issued by a court in a civil case, not a criminal case, and that is what distinguishes civil process work from law enforcement work.

A motion was made by Chief Gundersen that Civil Process hours do not constitute law enforcement duties and functions for purposes of the 2,400-hour Bridge requirement. Extensive discussion followed about how the Committee has already voted on this issue, and the motion was withdrawn.

A motion was made by Sheriff Donelan and seconded by Sheriff Coppinger to count Alfred Wood's hours in the Civil Process Division toward the 2,400-hour Bridge requirement. A vote was taken, and the motion failed with 12 oppositions.

A motion was made by Chief Gammel and seconded by Chief Clark that Alfred Wood has had a break in service of more than five years. A vote was taken, and the motion passed unanimously.

Interruption-in-Service 5+ Years – Richard Tracy

Richard Tracy completed a reserve/intermittent training program in Gardner in 1993 and then graduated from a fulltime MCJTC police academy in January 1996. He went on to work as a fulltime patrol officer for Tisbury PD from May 1997 to October 1997 and for West Brookfield PD from October 1997 to August 2001. In 2001, he became a federal agent with the U.S. Postal Inspection Services and remains employed there today. Per our CMRs, officers who have an interruption-in-service of 5 or more years where they have not performed police duties and functions must successfully re-complete a fulltime police academy. Historically, the Committee has considered a move to federal law enforcement to be an interruption in municipal police service. However, Richard Tracy spent his entire federal career working in Massachusetts. In November 2023, he and ATF Agent Peter Murray – who likewise had graduated from a fulltime MCJTC police academy many years ago, worked for a few years as a fulltime officer for a local department, and then became a

federal agent who spent his entire career working in Massachusetts – appeared before the Subcommittee and Committee on the issue of whether their federal service constituted an interruption-in-service of 5 or more years that would require them to go back to a fulltime academy before working as Massachusetts police officers again. Both the Subcommittee and the Committee said they did not view the federal service of Agent Murray and Postal Inspector Tracy as an interruption-in-service because they had attended full-time MPTC academies, spent time working as local police officers in Massachusetts, and as federal agents primarily worked in Massachusetts conducting investigations. At the time of the November 2023 meeting, Agent Murray had a conditional offer of employment from Millville PD, and the Subcommittee and Committee voted unanimously that his time with the ATF did not constitute an interruption in service but that he would be required to pass the core competency exam before working as a police officer in Massachusetts again. Postal Inspector Tracy was not yet affiliated with a department; rather, he appeared before the Subcommittee/Committee in November 2023 for guidance before exploring employment with a Massachusetts department any further. Therefore, neither the Subcommittee nor the full Committee took a vote with respect to Postal Inspector Tracy at the November 2023 meeting.

Postal Inspector Tracy appeared before the Subcommittee and Committee today because he has a conditional offer of employment from Chief Ford at Western New England University/Wales PD. Chief Ford was also present at today’s meeting. At its meeting earlier today, the Subcommittee voted unanimously that Postal Inspector Tracy has not had an interruption-in-service but that he is required to successfully complete the MPTC core competency exam prior to resuming service as a Massachusetts police officer.

A motion was made by Sheriff Coppinger and seconded by Chief Gammel that Richard Tracy has not had an interruption-in-service but that he is required to successfully complete the MPTC core competency exam before resuming service as a Massachusetts police officer. A vote was taken, and the motion passed unanimously.

Executive Director’s Report

Budget. There were no budget updates today.

Recruit Updates, Specialized Training, Academy Demographics, & Bridge. As the Committee was pressed for time at today’s meeting, Chief of Training Nardone directed them to their packet of materials for updates on recruit academies, academy demographics, specialized training, and the Bridge Academy. She noted that there is a document regarding our FTO Program and best practices development for the Committee’s review at Tab 6, as we are updating our FTO Program. She also noted that we have revised Day 1/Week 1 of our ROC PT curriculum, as discussed at prior meetings, and we are rolling it out. Basic Training Division Manager Amy Fanikos and Health and Performance Manager Melissa Metzke have met with academy directors about it and are training staff instructors on the changes.

Old Business

MPTC Regulations (550 CMR 3.00) – Revised/Updated. Atty. Melander presented the most recent draft of the revised MPTC regulations (550 CMR 3.00). He went through the draft and each proposed revision. There was discussion about several of the proposed revisions. MPTC Chief-of-

Staff/General Counsel Jim O'Brien noted that getting rid of the PAT as a requirement for acceptance into an MPTC academy (550 CMR 3.06(1)) had been discussed at prior Committee meetings and was in part to address the overtime issue it creates for Sheriffs. He also noted that he has concerns about the wording of the medical examination requirement in 550 CMR 3.06(1). Though we currently require candidates to pass the HRD medical exam, the CMR does not specify which medical exam. He suggested that we could revise the regs to specify that it's the HRD medical exam that is required, but he recently learned that the HRD medical exam is more stringent than the medical exam required by MSP for acceptance in an RTT. Undersecretary Kwon suggested that, for now, the reg could be revised to require passage of a medical exam "*to a standard set by the Committee*" and the other Committee members agreed. The Committee also struck the last sentence of 550 CMR 3.07(2), which stated "*MPTC-certified instructors are not exempt from annual in-service training requirements, even when those requirements are in their area(s) of certification.*" because they believed it could lead to confusion.

Atty. Melander explained that MPTC/EOPSS staff is looking for a vote of approval on the proposed revisions to 550 CMR 3.00 so that the draft can be submitted for public comment.

A motion was made by Sheriff Donelan and seconded by Chief Gundersen to approve the proposed revisions to 550 CMR 3.00 and submit them for public comments. A vote was taken, and the motion passed unanimously.

MPTC Executive Director Position. Chief Hicks advised that the posting for the MPTC's Executive Director position has now closed. A proposed rubric to aid in evaluation of the applicants is in the Committee's packet of materials for review and approval. He explained the rubric will give the members of the Search Committee guidance as to what's important when they are evaluating applicants. Chief Hicks asked for a vote of approval on the rubric from the full Committee.

A motion was made by Superintendent Sullivan and seconded by Sheriff Donelan to approve the rubric as presented. A vote was taken, and the motion passed unanimously.

POST/Police Reform Updates. Chief Hicks urged the Committee members to review the materials at Tab 9 of this month's packet. He explained that POST is moving forward with developing use of force regulations in connection with Agency Certification under 555 CMR 13.00. Though the police reform law requires POST to consult with the Committee on the regulations, the regulations can move forward without the Committee's approval. However, Use of Force regulations set forth at 550 CMR 6.00 (MPTC) and 555 CMR 6.00 (POST) requires that POST and MPTC jointly develop a model use of force policy, and the policy must be approved by both POST and MPTC. Chief Hicks said the model policy and the regs have to go with one another, but POST is moving forward with the regs a little ahead of the policy. POST and MPTC hired use of force expert Eric Daigle to review the use of force regs and model policy. Redlines to POST's draft of the regs by both Eric Daigle and Denise Flagg are included in the Committee's packet today. Eric Daigle also presented a sample model use of force policy and a memo outlining his concerns with POST's current draft of the regs, which are also included in the Committee's packet.

Attorney Melander said that with the Committee's permission, MPTC/EOPSS staff would like to continue reviewing POST's use of force regs and identify important areas that the Committee should focus on for discussion at future meetings. Chief Hicks asked the Committee members to send any comments or questions to Denise Flagg in the meantime.

New Business

Closure of Merrimack College Police Academy. Chief of Training Nardone reminded the Committee that Merrimack College is seeking to close its police academy. She explained that for a number of reasons, it is no longer feasible for Merrimack to run the program. A letter from the College regarding the proposed closure, as requested by the Committee, is included in today's packet.

Next Meeting

The next Committee meeting will be held on October 16, 2024, at 10:00 am in Randolph, MA.

Adjournment

At 12:39 p.m., a motion was made by Chief Gundersen and seconded by Superintendent Sullivan to adjourn the meeting. A vote was taken, and the motion passed unanimously.