

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

Call to Order

On October 16, 2024, at 10:18 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
Sergeant Detective Eddy Chrispin	Present
Sheriff Christopher Donelan	Present
Chief Thomas Gammel	Present
Chief Jennifer Gundersen	Present
Undersecretary Gina Kwon	Present
Superintendent Richard Sullivan	Present

EOPSS/MPTC Staff

Atty. John Melander, Interim Executive Director Jeff Farnsworth, Atty. James O'Brien, Atty. Gina Masotta, Atty. Andrea Nardone, Tanya Hardiman, James Gribaudo, Jen Sears, Kathleen Berry, Amy Fanikos, Elsie Sanon, Aiesha Grenier, Brian Merrick, Denise Flagg, Denise Mellon, Kristen Lydon, Lisa Kaynakian, Yola Cabrillana, Felisha Arnold, and John Mazza.

Guests

Ryan Couture.

Review/Approval of Meeting Minutes

A motion was made by Sheriff Donelan and seconded by Chief Gundersen to approve the minutes of the September 25, 2024, meeting. A vote was taken, and the motion passed with one abstention (Sergeant Detective Chrispin).

Police Standards and Training

Temporary Waivers

There were no temporary waiver requests on the October agenda.

Out-of-State Exemptions

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

Benjamin Emerson

Westfield PD

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

A motion was made by Chief Gammel and seconded by Chief Gundersen to approve the out-of-state exemption request for Benjamin Emerson. A vote was taken, and the motion passed unanimously.

Bridge Academy Exemptions

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

A motion was made by Sheriff Donelan and seconded by Superintendent Sullivan to 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.

Bridge exemption requests for Officers numbered 428 through 430 on the October 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 Chief Gammel and seconded by Chief Clark to 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.

A Bridge exemption request for Officer numbered 342 on the October Bridge Academy Q-Z Class List was 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 Superintendent Sullivan to 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.

Executive Director's Report

Budget. Interim Executive Director Jeff Farnsworth said he did not have anything new to report on the budget, but everything is moving along as anticipated. He noted that MPTC staff recently received new identification cards. He also noted that hiring for the numerous open positions at the agency has been challenging, but we are working our way through it with progress on a few of the positions.

Facilities. Construction is ongoing at the new East Falmouth facility. An open house was held there last week for Chiefs in the area and went very well. The first academy class is currently scheduled for December and has been posted. Positions for an academy director and program coordinator in East Falmouth need to be filled. Chief Hicks noted that Chief Clark will be on the interview panel for the East Falmouth academy director position.

Construction at the new Marlboro facility is also ongoing and on schedule for an anticipated opening date of September 2025.

Recruit Training Update. MPTC Chief of Training Andrea Nardone presented an update on recruit academies, including academy start dates, graduation dates, and demographics. She noted that there is a lack of reported information for academy demographics. Student officers must enter the information themselves in Acadis and have the right by law to refuse to answer. MPTC staff is going to be asking academy directors to give student officers more time to enter demographics information into Acadis with the hope of obtaining a better response.

In-Service and Specialized Training. Chief of Training Nardone reported that in-service and specialized training for TY25 has begun. Interim Executive Director Farnsworth noted that more than half of all veteran officer in-service training is being done online. MPTC staff is working hard to raise the bar on our online in-service classes and looking into the possibility of hiring someone more experienced in video production.

Bridge Academy. Chief of Training Nardone reported that Bridge continues to wind down and the most recent numbers are included in the Committee's packet of materials for today.

ASHER. John Mazza offered an update on the ASHER program and the significant progress that has been made in training. Chief Hicks asked about upcoming class locations, and Mazza reported that there are classes scheduled in Lynnfield, Leicester, Manchester, Athol, New Bedford, Southbridge, Holyoke, Braintree, and others. Chief Gammel noted that he worked with Mazza recently to bring an ASHER training to his area and was very impressed with the program. Mazza and Interim Executive Director Farnsworth will be presenting with ALERRT at the IACP Conference next week.

Old Business

Working Groups. Chief of Training Nardone reported that the Fitness working group has not met recently but revisions to our PT curriculum are being rolled out. She and Interim Executive Director Farnsworth met with MACLEA last week. Chief Hicks also spoke with MACLEA recently and stressed that they want to continue to be included and heard.

Acadis Access for Officers Suspended by POST/Agency. Chief Hicks said this discussion is being postponed for a future meeting.

Executive Director Search. Chief Hicks reported that the Search Committee is in the process of conducting interviews for the open MPTC Executive Director position. A total of 52 applications for the position were received, and EOPSS's HR team narrowed the pool to 7 qualified candidates who were offered interviews. One candidate opted not to go forward, so the Search Committee will interview 6 candidates. They have conducted a few interviews already and have a few more scheduled. Chief Hicks expects to have a report for the Committee at the November meeting.

POST/Police Reform Updates. Chief Hicks said that Tab 7 of today's meeting materials includes several documents related to POST's draft of a Use of Force section appearing in the law enforcement agency (LEA) certification regulations (555 CMR 13.00). Documents in Tab 7 included a 13-page analysis of POST's draft Use of Force section by subject matter expert Eric Daigle, redline edits to the draft made by Daigle and MPTC Assistant Legal Counsel Denise Flagg, a Model Use of Force Policy drafted by Daigle, and a second memo (dated October 2, 2024) from Daigle to POST. Chief Hicks reminded the Committee members that POST is not required to get the Committee's approval on the law enforcement agency certification regulations (555 CMR 13.00), but they are supposed to be drafted "in consultation" with the Committee. However, the Model Use of Force Policy promulgated pursuant to 555 CMR 6.00 does require approval from the Committee. MPTC and POST jointly hired Eric Daigle to assist with drafting that Model Use of Force Policy. At its September meeting, the POST Commission voted to preliminarily approve the draft Use of Force section in the law enforcement agency certification regulations. Following POST's September meeting, Daigle wrote the memo dated October 2, 2024, expressing his concerns about the draft Use of Force section.

EOPSS Deputy General Counsel John Melander said he attended a remote meeting last week with members of POST and Daigle. At that meeting, Annie Lee said she made revisions to the draft regulations in response to Daigle's concerns. But Daigle still has significant concerns, as outlined in his October 2, 2024, memo. Attorney Melander said that we share some of his concerns. MSP was also looped into the discussion. They made some preliminary redline edits to the draft regulations, identifying some of their concerns, and are taking a deeper dive now. Attorney Melander reported that, sometime next week, we hope to provide a redlined draft of the regulations to POST that combines the edits/concerns from MPTC and MSP, and then reconvene after the IACP conference.

MPTC Chief-of-Staff/General Counsel Jim O'Brien noted that Annie Lee is listening to today's Committee meeting via Microsoft Teams and has asked him to clarify a couple things that were said. First, POST is currently working on two separate matters that intersect with the MPTC: (1) LEA (agency) certification standards and (2) LEO (officer) re-certification standards. POST has a formal Subcommittee working on LEO (officer) re-certification standards. There is no formal Subcommittee working on LEA (agency) certification standards. Lee and in-house staff at POST are doing the preliminary work on the LEA (agency) certification standards. Second, Lee asked Attorney O'Brien to convey that some feedback from the MPTC and Eric Daigle was incorporated into an updated draft of the Use of Force section in the LEA (agency) certification regulations preliminarily approved by the POST Commission. The redlined draft in the Committee's packet was her original draft. Attorney O'Brien noted that, notwithstanding the feedback that was incorporated, there are significant discrepancies between POST's draft regulations and Daigle's Model Use of Force Policy.

If the draft regulations went into effect, it would require significant revisions to Daigle's Model Policy. For example, the POST Commission approved sections 13.03(1)(a) and (b) stating that an Agency's Use of Force Policy shall emphasize, "dignified and respectful treatment" of people who are witness to and involved in an encounter and shall instruct officers to implement the Use of Force Policy in a manner that is "fair and unbiased." Likewise, the POST Commission approved Section 13.03(1)(c)(5)(b) directing officers to, "Employ developmentally and age appropriate, trauma informed, racially equitable, and culturally relevant de-escalation tactics..." Daigle considers the quoted language to be subjective, asks whether it can be meaningfully defined, and feels strongly that it should not be in the regulations. Daigle's suggested language is tied more closely to U.S. Supreme Court precedent and the law in Massachusetts that states the safety of human life is of paramount importance.

Announcements

Chief Hicks announced that Chief Gammel will be retiring on Friday of this week. He praised Chief Gammel for the time and dedication he has shown to the Committee. Chief Gammel has been a very active and involved member, and he will be greatly missed. Chief Gammel thanked everyone for the opportunity to be a part of the Committee and for valuing his input and opinion during his time as a member. He said he truly believes in the work being done here and knows it will continue in his absence.

Chief Hicks also reminded the Committee members that the IACP conference is scheduled for next week and said he hopes to see everyone there.

Next Meeting

The next Committee meeting will be held on November 20, 2024, at 10:00 a.m. in Randolph, MA.

Adjournment

At 12:14 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.