



Commonwealth of Massachusetts
Municipal Police Training Committee
 “Training for Today, Planning for the Future”



CHIEFS NEWSLETTER

Chiefs Newsletter

November 2018, Volume 23 Issue 1

News from the Executive Director

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Training At-a-Glance

1 What a year!!!! And it’s only November. You will see these discussed in more detail below, but we have expanded firearms training by adding training and requalification for platforms, reserves will be required to meet the same firearms standard as fulltime officers; an entry-level fitness test is being implemented for attending a Recruit Officer Course; the \$2 automobile surcharge passed; and we were awarded \$40,000 to conduct SRO training. Wow. But wait!!! There’s more.

Firearms requalification and training

3 At the June meeting, the MPTC Committee voted to approve an annual training and requalification standard for all firearm platforms; including less-lethal. The policy is attached. The effective date is July 1, 2019, to allow departments to

plan for the requisite ammunition requirements. Relatedly, beginning January 1, 2019, the entry-level firearms training for reserve officers will now utilize the same curriculum as is utilized in the fulltime recruit academies. Heretofore, the re-

serve officer training was only 20 hours; it will now be 56 hours.



MPTC FY19 Budget

5 We received an appropriation of \$4.78 million, which is roughly the same as last year’s appropriation. That means we are delivering essentially the same training as we did last year, with a focus on these classes:

- 6 • In-service
- 6 • One first-line supervision class at each MPTC academy
- 7 • Instructor Development Courses
- 7 • Domestic Violence instructor course
- One instructor trainer course for each of the skills areas
- Instructor recertification training

MPTC FY19 Budget

So you may be wondering why there continues to be a dearth of training on the heels of the passage of the \$2 surcharge on rental car contracts. The first challenge is the Municipal Police Training Fund does not collect its first \$2 until January 1, 2019. Even then, we do not know how or when we will be able to access the funds. We are working with EOPSS to find the answers to these (and other) questions about the fund.

Consequently, I must work under the assumption that our \$4.8 million appropriation is the only funding that will be available for the remainder of this fiscal year. If we find out otherwise, we will adjust our training plan accordingly.



7/25/18 Governor Charlie Baker signed H. 4516, *An Act relative to the municipal police training fund*, which will allow the Municipal Police Training Committee (MPTC) to conduct additional recruitment and trainings that will give local police critical tools needed to ensure the safety of Massachusetts residents and communities.

MPTC TY2019 In-Service Training

As a reminder, here are the mandatory training requirements for all sworn officers (fulltime and reserve) for Training Year 2019:

TY19 In-Service

- Legal updates, including the Criminal Justice Reform Act (6 hours)
- Police Interactions with Persons with Mental Illness (Part II), which will meet the IACP's "One Mind Campaign" pledge for training line officers (3 hours)
- Multi-Agency Response to Active Shooters (3 hours)
- Defensive Tactics Skills (3 hours)
- Integrating Communication, Assessment, and Tactics (ICAT) (3 hours)

These blocks of training equal eighteen (18) hours of training, which means every officer will need a minimum of twenty-two (22) additional hours of police-related training to meet the mandatory 40-hour annual in-service training requirement.

As a further reminder, officers will still be required to complete the annual first aid, CPR, and firearms training and requalification requirements, which do count towards the 40-hour training requirement, as does any other police-related training, regardless of the

provider and regardless of whether it is classroom or internet based.

Chiefs of Police In-Service Requirements

In addition to the training requirements previously listed, each chief of police must also attend two additional training sessions:



- Response to the Opioid Epidemic (2 hours)
- Restorative Justice and Diversion (2 hours)

For those chiefs who did not attend these sessions at the MCOPA training conference, an additional session of each will be offered at the MPTC Boylston facility in the spring.

SRO Training

The Governor requested \$40,000 in his supplemental budget bill to fund a first round of school resource officer training. We will utilize that money to host two two-week training sessions. The

first week will be the NASRO basic training program and the second week will include a session on juvenile law and other topics specific to Massachusetts. The ultimate goal – made possible by

the \$2-bill – will be to develop and deliver the training annually and to offer an in-service training component for those SROs who have already attended the two-week SRO basic training.

ARIDE Training

With the legalization of marijuana, training related to recognizing drug impairment is in demand. There are three options available. All of these are offered by the MPTC utilizing grant funding from the Highway Safety Division of the Office of Grants and Research:

- SFST Update/Marijuana and Driving: a one day class
- Advanced Roadside Impaired Driving Enforcement (ARIDE): 16 hours
- Drug Recognition Expert (DRE): two weeks of classroom and one week of evaluations



In case you are not aware, the SFST training is not static. It is regularly updated, which is why we continue to provide SFST update training: to make sure officers are aware of the latest training and are prepared for court challenges that involve those changes. The marijuana and driving segment gives a general overview of the effects of marijuana on drivers.

We get many requests for DRE training. However, because of

the lengthy certification process and the number of evaluations needed for recertification, we do not recommend that every officer, or even most officers, attend DRE training. In fact for smaller departments in rural areas, we encourage them to look into creating a regional DRE program.

Instead, we recommend ARIDE for most officers. ARIDE was created to address the gap in training between the SFST and

DRE programs by providing officers with more detailed knowledge related to drug impairment than is in SFST training, but not as detailed or as time-consuming as DRE training. It gives officers the knowledge and tools to observe, identify, and articulate the signs of impairment related to drugs, alcohol or a combination of both. While it gives detailed symptomology and behavioral information, it is NOT meant to be used as conclusive or

ARIDE Training

evidentiary levels of indicators of drugs or drug categories. Instead, it is designed to help the officer recognize that drugs may be a source of impairment and use that information to contact a DRE, if warranted. This is a very valuable class for road officers.

Register here!



[Highway Safety Division Training](#)

Recruit Officer Course Curriculum Status

The second pilot has reached its halfway point, and the curriculum appears to be working as intended. The MPTC Committee will begin a discussion at its November meeting about approving it for statewide adoption in 2019.

MPTC Entry-level Fitness Testing

Hopefully, you saw the email and attached document announcing that starting on July 1, 2019, any student entering a Recruit Officer Course (fulltime police academy) will be required to pass a physical fitness test. The test will have four events: the 1.5 mile run, one-minute pushups, one-minute sit-ups, and a 300-meter dash. The passing standard is age and gender normed and utilizes the 40th percentile from the

Cooper Institute norms. Ideally, departments will conduct assessments utilizing these four events during their respective hiring processes and use the results to inform conditional offers of employment and hiring. The requirement to successfully pass a Physical Ability Test (PAT) will remain in place because it provides a critical function. The PAT assesses the ability to carry out the essential

tasks performed by police officers, while the MPTC fitness testing will measure the officer's capacity (fitness) to endure the rigors and physical demands of recruit training.



Reserve Basic Training

With the completion and rollout of the overhauled curriculum for the fulltime recruit training, we need to decide what that means for the reserve basic training program. Certainly, there is support for creating a single recruit training standard for all police officers, fulltime and reserve. However, the MPTC Committee has de-

ferred that discussion until the curriculum for the Recruit Officer Course was in its final draft form. That time is approaching, but even then, there are many layers to the discussion and the ultimate decision, which means any such decision is months, if not years away. Therefore, notwithstanding the

pending conversation, it is incumbent upon us to, at a minimum, revisit the current reserve basic training curriculum because it needs to be aligned with the fulltime police academy training, both in the content and the delivery. Consequently, we will be meeting with the reserve pro-

Reserve Basic Training

gram coordinators with these goals in mind:

1. Decide what topics and skills reserve police officers need to know. A review of the job task analysis (JTA) for fulltime officers will provide the starting place.
2. Review the lesson plans for the overhauled Recruit Officer Course (fulltime basic training program) that cover the topics and skills reserve officers should know.
3. For those topics and skills that are currently in the reserve basic training, look at aligning the lesson plans with the ROC.
4. For those topics and skills that are not currently in the reserve basic training, determine what parts of the lesson plan should be included in the revised curriculum.

Once the reserve basic training working group finishes its work, it will be presented to the MPTC Committee for their consideration for adoption.

When Your Parent is a Police Officer

Often overlooked in the impact that being a police officer causes is the impact on the family. We are getting better about providing services to and recognizing the impact on our officers. We are also getting better about recognizing the impact on and providing services to spouses and partners. However, we tend to overlook the potential impact on the children, probably because we often assume they are not paying that much attention and partly because chil-

dren tend to be resilient and flexible. Here is an article related to this issue: [When your Parent is a Cop](#)



Plus, the IACP has developed a [resource center](#) dedicated to officer and family health and wellness – physical, mental, financial, and emotional.



Columbia Southern University Tuition Discount for IADLEST Members

As you may know, I am a member of an organization comprised of POST directors from across the country: the International Association of Directors of Law Enforcement Standards and Training (IADLEST). Recently, IADLEST became a Learning

Partner with Columbia Southern University.

What does this mean for you and your officers? With MPTC as a member of IADLEST, any officer who falls under the MPTC's jurisdiction, as well as their spouse and children, can take advantage

of the following benefits:

- ✓ 10% tuition discount on all classes and waiver of the Application Fee.
- ✓ Textbooks provided at no cost.

Columbia Southern University Tuition Discount for IADLEST Members

- ✓ Exclusive scholarship opportunities
- ✓ A complimentary evaluation of previously earned college credits and training/professional certifications for consideration of transfer credit.
- ✓ Complimentary access to writing and math specialists through the Student Success Center.
- ✓ A dedicated landing page for Learning Partners on the CSU website for prospective students and student enrollments.

About CSU

Columbia Southern University is a completely online university offering associate, bachelor and master degree programs in a wide variety of disciplines. For program information please contact Christie Ball at 800-344-5021 or Christie.Ball@columbiasouthern.edu.

Recruit Officer Courses

We are in the process of developing a guide for chiefs to help with mapping a hiring process that aligns with recruit training. In the meantime and to help us with planning, we ask that you please communicate with Pat Caggiano regarding your hiring plans and for the recruit academy admission process. Pat's contact information is:

Pat Caggiano, Recruit Training Coordinator
 MPTC
 6 Adams Street, Randolph, MA 02368
 Telephone: (781) 437-0306 / Email: Patrick.Caggiano@mass.gov

As an ongoing reminder, the cut-off for applications is 30 days prior to Day One **OR** when the class reaches capacity with fulltime officers, which can occur before the 30-day cutoff. Consequently, do not rely on the 30-day cutoff; if you want to get a student officer into a particular class, make

sure the complete application packet (application, PAT, medical, and letter of appointment) gets to Pat without delay.



MPTC Blog

If you have not noticed it yet, the MPTC (Lynda) has developed a blog to keep you, your officers, and the citizens of the Commonwealth informed regarding MPTC events, milestones, and news.

The goal is to provide weekly updates. The blog can be accessed via the MPTC's homepage: www.mass.gov/mptc. Look at the right-hand side of the page.

SOCIAL

 [MPTC Blog →](#)

Decertified Police Officers

With police misconduct continuing to be a topic of national interest and discussion, it is critical that agencies take every opportunity to vet candidates. Even though Massachusetts does not have a decertification process, most states do have one, and over 30 states submit a list of police officers they have decertified (and who are no longer allowed to serve as police officers in their respective states) into the Na-

tional Decertification Index (NDI). Even though the MPTC only submits names when we know a court has ordered that the officer surrender his/her status, MPTC does have access to the NDI and the list of officers decertified in other states. I encourage you to contact Marylou Powers at Marylou.Powers@state.ma.us or (781) 437-0302 if you would like us to see if an applicant or

candidate you are considering is on that list.

As always, thank you for your service to the Commonwealth and her citizens. Please feel free to contact me with questions, comments, or concerns. But above all else, please be careful out there!

Dan

Training At-a-Glance



In-Service Training

- Legal updates, including the Criminal Justice Reform Act (6 hours)
- Police Interactions with Persons with Mental Illness (Part II), which will meet the IACP’s “One Mind Campaign” pledge for training line officers (3 hours)
- Multi-Agency Response to Active Shooters (3 hours)
- Defensive Tactics Skills (3 hours)
- Integrating Communication, Assessment, and Tactics (ICAT) (3 hours)

Additional Chiefs In-Service

- Response to the Opioid Epidemic (2 hours)
- Restorative Justice and Diversion (2 hours)



Basic Training

- Entry-level fitness test is being implemented for attending a fulltime Recruit Officer Course
- Review of current reserve basic training curriculum to align with the fulltime police academy training



Impaired Driving

- SFST Update/Marijuana and Driving: one day class
- Advanced Roadside Impaired Driving Enforcement (ARIDE): 16 hours
- Drug Recognition Expert (DRE): two weeks of classroom and one week of evaluations



Training & Qualification

- January 1, 2019 entry-level firearms training for reserve officers increase from 20 hours to 56 hours
- July 1, 2019 annual training and re-qualification standard for all firearm platforms; including less-lethal will be instituted



School Resource Officer

- The Governor requested \$40,000 in his supplemental budget bill to fund a first round of school resource officer training.
- Made possible by the \$2-billion bill, the goal is to develop and deliver the training annually and to offer an in-service training component for those SROs who have already attended the two-week SRO basic training

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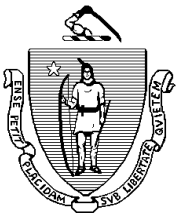
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Firearms Standards for Training and Qualification

Minimum State Standard:

The minimum standards included herein are required of all sworn municipal, University of Massachusetts, and environmental police officers in the Commonwealth, whether fulltime, reserve, or intermittent. These standards are divided into two sections: *Qualification* and *Training*. Qualification under these standards is intended to document existing marksmanship proficiency and safe firearms handling skills. Training is intended to improve the officer’s marksmanship, reaction, and decision-making skills under stress in a variety of potential shooting situations, as well as to enhance officer safety and safety of the public. The standards listed are minimum standards only. Nothing herein should be construed as recommending adherence to only to the minimum standards or as restricting agencies in any way from exceeding them.

The maximum interval between training sessions shall not exceed six months. These minimum standards shall include all weapon systems that a department authorizes and deploys, to include:

- Semiautomatic pistols
- Revolvers
- Patrol rifles
- Shotguns
- Less-lethal systems

Example 1: If a department only authorizes duty pistols, then all that is required is to adhere to the standard regarding the duty pistol.

Example 2: If a department authorizes and/or deploys a duty pistol, patrol rifle, shotguns, and backup weapon, then the department is required to adhere to the state standards for all four weapon systems.

Electronic control weapon training requirements (i.e. TASERs) are governed by 501 CMR 8.00.

Annual Qualifications:

1. Each officer shall successfully complete the MPTC Basic Qualification Course for each weapon at least once per year with:
 - a. A minimum score of 80% and
 - b. 100% round accountability. (See below for illustration of MPTC target.)
2. While duty ammunition is not required for the qualification course, the caliber used for qualification shall be identical to that used for duty ammunition.
3. The target used for qualification shall be the standard MPTC-approved target. (See below for approved targets.)
4. The number of rounds needed for each weapon system is as follows:

Semiautomatic pistols = 50	Revolvers = 50	Patrol rifles = 50
Shotguns = 25	Less-lethal shotgun = 8	Less-lethal 40mm = 6

Annual Training:

1. Officers shall receive instruction in and review legal issues and department policy regarding use of force and the safe handling and storage of firearms, including deployment from and storage into the locking devices in cruisers. These may be done:
 - a. At the time of qualification,
 - b. During range training, or
 - c. On a separate date and time.
2. Each officer shall complete two, separate training sessions in the use of all weapon systems a department deploys within each twelve (12) month period, but not to exceed six (6) month intervals.
3. In *addition* to the annual qualification requirement, at a minimum, each officer shall discharge
 - a. At least fifty (50) live-fire rounds for training.
 - b. The intent is for these additional rounds to be expended in multiple firearms training sessions.
 - c. The requirement to fire fifty (50) live-fire rounds will apply to the following weapon systems:
 - i. Semiautomatic pistol
 - ii. Revolver
 - iii. Patrol rifle
4. Additional rounds for the shotgun will be twenty-five (25) rounds, unless solely used as a less-lethal system.
5. Additional rounds for less-lethal systems will be two (2) rounds.
6. Each training session shall be realistic in nature and should include, but not be limited to, the following:
 - a. Judgmental shooting,
 - b. Reduced light
 - c. Multiple target drills or scenarios,
 - d. Shooting at moving targets and shooting while moving
 - e. Sympathetic fire drills
7. Training should enhance skill diversity by varying the live fire drills from session to session. Instructors should build upon the drills conducted in previous sessions.
8. Training should be scenario-based wherever practical and incorporate the use of:
 - a. Cover,
 - b. Shooting from a variety of positions, and
 - c. Use of both sighted and point shooting techniques.
9. Any target may be used for training purposes; in addition, the use of steel or reactive targets is encouraged where practical.
10. In addition to the live-fire requirements, skill-building drills may include;
 - a. Firearms simulators (such as MILO or FATS)
 - b. Simunition weapons

- c. Airsoft/plastic rounds
- d. Red/blue guns.

11. Departments shall use MPTC-Certified Level I Firearms Instructors or higher when conducting the MPTC qualification and training courses.

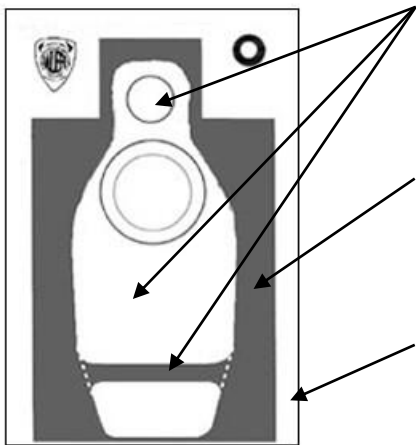
Approved MPTC Qualification Targets:

- Q type Targets
- Reduced Q type targets for range trailer
- Q-P Targets

MPTC Scoring Criteria:

- *Applies to all MPTC qualifications*
- *Courses of fire on IALEFI Q(P) target*

IALEFI-QP



Rounds in white scoring area, including the gray area between the upper “Q” and the pelvic girdle, score two (2) points each.

Rounds in “gray torso” are hits but score no points. (Instructors)

Rounds outside gray torso are considered missed rounds for scoring purposes but are included as part of the 100% Round Accountability (In-Service Firearms).

However, they are considered misses for MPTC Firearms Instructors.

100 % Round Accountability Scoring Criteria:

Non-Instructors/In-service: All fifty (50) rounds must be accounted for on the target/paper.

Instructors: All fifty (50) rounds must strike within the gray torso outline. Rounds outside torso are misses, even if they are on the target/paper.

General Principles of Firearms Training

1. Notwithstanding the potential for "failure to train" lawsuits under 42 U.S.C. 1983, or lawsuits for "employee negligence" under the Massachusetts Tort Claims Act (M.G.L. c. 258), the design and implementation of firearms training programs should not be motivated by the sole purpose of avoiding legal liability.
2. Firearms training should be designed to prepare officers to protect themselves and their communities from dangerous individuals, when necessary. To attain that objective, the program should logically take into consideration the nature and conditions of the job and should be tailored accordingly.
3. That said, the primary liability issues involving firearms training involve failure to train (which includes the nature of the training), failure to supervise training (which includes documentation), proficiency testing, and policies.

Selected Negligent Training Cases

City of Canton, Ohio v. Harris, 109 S.Ct. 1197 U.S. Ohio, 1989 (deliberate indifference standard established)

Zuchel v. City and County of Denver 997 F. 2d 730 10th Circuit Court (inadequate training program)

Popow v. City of Margate 476 F. Supp. 1237 D.N.J. 1979 (inadequate training in absence of moving targets and low-light training)

Vickowski v. Hukowicz, 201 F.Supp.2d 195 D. Mass., 2002 (outlines legal test/questions for establishing a failure-to-train tort)

Armstrong v. Lamy, 938 F.Supp. 1018 D. Mass., 1996 (Pattern of behavior in violation of constitutional standard need not be shown if need for more or different training is so obvious and inadequacy so likely to result in violation of constitutional rights that policymakers of municipality can reasonably be said to have been deliberately indifferent to need.)

These cases only provide a very cursory overview of litigation involving firearms training. For a more extensive list of relevant cases, please contact the MPTC or your legal advisor.