



Special Commission on Massachusetts Police Training

Results and Recommendations of the Special Commission
on Massachusetts Police Training

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Introduction

Chapter 3 of the Resolves of 2008 established a special commission to conduct an examination of the feasibility of creating a statewide law enforcement training program to coordinate municipal law enforcement training, as well as the feasibility of creating more efficient law enforcement facilities, staffing instruction, and preparedness. In addition, the commission was also tasked with studying and making recommendations relative to the training provided to law enforcement officers in handling incidents involving persons with mental illness.

The commission is required to report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerks of the senate and house of representatives.

The inaugural meeting of the commission was held on September 10, 2009. Several additional meetings and a public hearing ensued, with the public hearing being conducted on December 1, 2009. This report will serve as the commission's investigation findings and formal recommendations.

Executive Summary

After gathering testimony, conducting extensive research, and discussing the many facets of police training, the commission brings forth three recommendations:

1. Establishment of an adequate, consistent, dedicated funding stream for police training.
2. Implementation of a statewide Peace Officers Standards and Training (POST) system within the Commonwealth.
3. Recognizing that issues pertaining to mental illness require specialized training, the MPTC should continue to update and refine such training for implementation on a statewide basis.

History of Massachusetts Police Training

Timeline of the Massachusetts Police Training Committee (MPTC)

- 1964 The Legislature passed the first general law requiring police officers in cities and towns with populations greater than 5,000 to complete a recruit training course and created the Municipal Police Training Council to set and oversee training standards.
- 1968 The Legislature added an in-service requirement.
- 1972 The 5,000-persons population exemption was removed and a requirement for supervisory training was added.
- 1973 MPTC becomes Massachusetts Criminal Justice Training Council (MCJTC) and was given statewide jurisdiction; although it continued to focus on municipal police training.
- 1997 Recruit officer curriculum and standards were developed.
- 2002 MCJTC becomes the Municipal Police Training Committee (MPTC) with its mandate narrowed to municipal police training only.
- 2008 Legislation is enacted to create a special commission to investigate and study the feasibility of establishing a statewide law enforcement training program and to discuss funding mechanisms.

Evolution of Police Training and the MPTC

In 1973, the Massachusetts Criminal Justice Training Council (MCJTC) was formed to oversee the expanding training requirements and increase in the number of law enforcement agencies being trained. The MCJTC provided training to municipal officers as well as other law enforcement agencies such as the environmental police, campus police, sheriffs, and harbormasters (Scheft Report, 2006).

In 1988, the MCJTC reassessed their training philosophies and delivery due to the tragic death of a recruit and the hospitalization of 11 trainees during a recruit training class. This incident resulted in ending the regular collaboration with the state police, as well as a dramatic decrease in funding for the agency. Concurrently, a plan to restructure the MCTJC was developed and began to take form. The result was the development of the MPTC and the elimination of the MCTJC. The main differences between these agencies were twofold. First, the composition of the MPTC was weighted towards municipal chiefs of police when the number of voting members was increased. Second, the MPTC was tasked

with exclusively setting standards for, and training of municipal officers, while the MCJTC was focused on setting statewide training standards for a broader range of law enforcement disciplines.

An independent study commissioned in 2005 concluded that the MPTC “is currently unable to provide the volume and quantity of training services necessary to satisfy the existing needs and expectations of the municipal law enforcement agencies...” (Scheft Report, 2006). This echoed comments from an earlier assessment stating, “The level of funding that is being provided to the Council at the present time is woefully insufficient, and not very realistic. The Council is simply not able to provide the AMOUNT (much less, the QUALITY) of training services that is necessary...to maintain the level of professionalism that is required today.” (Johnson, 1996, emphasis in original)

Currently, the state police sets standards for and oversees the training for its troopers, and a training committee was recently established to set training standards for harbormasters. However, several law enforcement disciplines do not have oversight bodies for setting training standards, such as campus police and environmental police.

The MPTC Today

Overview and Goal

Currently, the Committee is made up of eleven voting members and sixteen non-voting, advisory members that serve to provide guidance regarding municipal police training. The membership includes representatives from state and local police agencies, the Attorney General, the Judiciary, Probation and Parole, Corrections, the Department of Personnel Administration, and the Executive Office of Public Safety and Security (EOPSS). The MPTC and their advisory members work to develop and deliver training designed to improve the skills and performance of municipal police officers statewide.

The goal of the Municipal Police Training Committee (MPTC) is to set policies and standards for the training of all municipal police officers in the 351 cities and towns in Massachusetts. The MPTC delivers training through a statewide system of regional police academies and training centers operated by MPTC, and works collaboratively with the local and state police agencies that also provide training to municipal officers. Each year the MPTC sets training standards and makes training available for approximately 16,000 municipal officers.

One problem with the current organizational structure is confusion caused by having the advisory committee and the staff both referred to as the Municipal Police Training Committee. This results in references to “the MPTC committee,” which is redundant, to differentiate from “the MPTC staff.”

Training Centers

MPTC staff implements and oversees training standards for all municipal police training as well as training programs at the regional academy sites operated by the agency.

The MPTC operated sites include:

1. MPTC Headquarters at Randolph
2. Boylston Regional Police Academy
3. Plymouth Regional Police Academy
4. Reading Regional Police Academy
5. Western Massachusetts Regional Police Academy at Springfield
6. Randolph Regional Police Academy (currently collocated with MPTC headquarters)

Other agencies conducting MPTC-approved basic recruit officer training include:

1. Boston Police Department
2. Lowell Police Department
3. Springfield Police Department
4. Worcester Police Department
5. MBTA Transit Police

Moreover, the MPTC partners with many local agencies to deliver training utilizing police department training sites. Additionally, many agencies conduct professional development training in-house.

Training Types

The MPTC provides training in four general areas:

- **Basic Recruit Training:** a comprehensive 800-hour/20-week training program with hands-on classroom instruction. This training is provided for all new municipal police officers and other new officers, such as campus police officers when space is available.
- **Veteran Officer Annual Professional Development:** a program for veteran officers to ensure they are current in the latest developments in policing and technology. Hours and topics are set annually by the Committee.
- **Veteran Officer Specialized Training:** focused training for officers in specific areas such as Investigator Basic Training, Sexual Assault, Suicide Prevention, Crime Prevention, Sergeant's Basic Training, Domestic Violence and Racial Profiling.
- **Reserve/Intermittent Officer Training:** training program designed and delivered for part-time municipal police officers including reserve/intermittent basic officer training and annual professional development.

Funding for Massachusetts Police Training

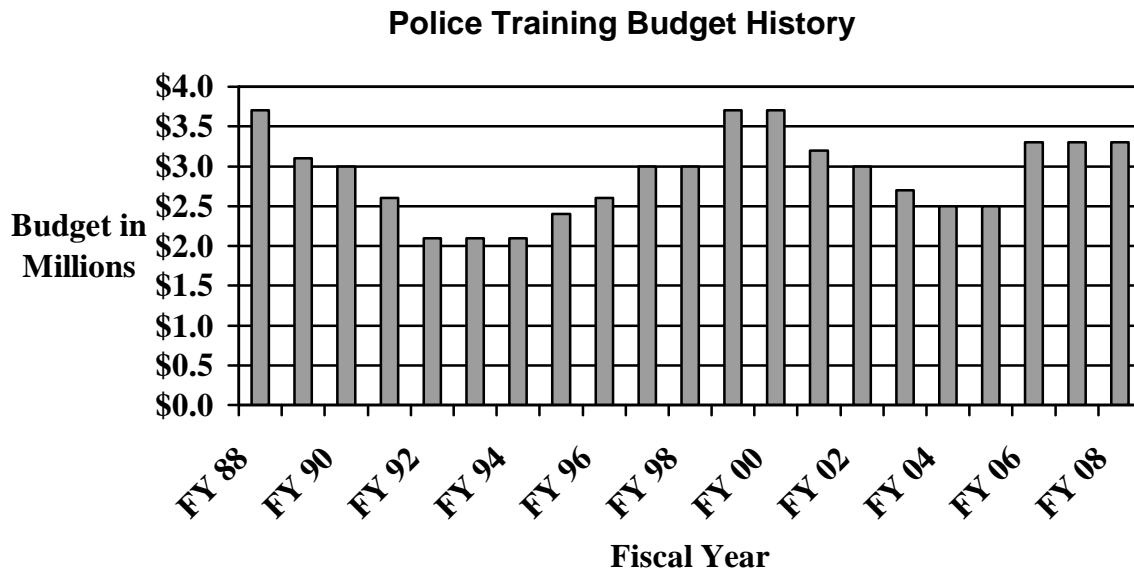
Funding History

The funding for police training in Massachusetts is derived from two sources; 1) fees charged to municipalities for basic recruit training which are placed into a retained revenue account and 2) an annual appropriation by the legislature.

Although veteran officer training is offered at no cost to departments and officers, municipalities are charged a \$2,500 fee for the training of municipal police recruits. This fee is placed into a retained revenue account which the MPTC can draw down upon for expenses related to basic recruit training. The amount of the fee which can be charged to municipalities is set by the legislature and currently covers the majority of the recruit's training expenses. However, the actual cost to train a recruit officer is closer to \$3,000 per student, and the MPTC budget must make up the difference for every recruit that is trained.

The annual appropriation from the legislature pays for salaries, and for the infrastructure and operational costs of the agency. It also pays for all the training programs offered to veteran police officers as well as the aforementioned differential between the fees for basic recruit training and the actual costs.

The chart below illustrates the history of the appropriation funding for the MCJTC/MPTC over the last two decades.



As can be seen, the budget has fluctuated considerably over the years. The current budget is less than that which was in FY00. **When adjusted for inflation, the decline is much more dramatic.** The FY88 budget of \$3.7 million equates to a budget of \$6.7 million in FY09 (using the Consumer Pricing Index). When adjusting the FY99 budget dollars to FY09, the FY99 funding of \$3.7 million

translates to \$4.8 million in FY09. The actual FY09 budget was dramatically lower at \$2.9 million. The consequence of this long decline in funding is an equally dramatic reduction in services. In the 1980s, the MCJTC had almost 60 employees and engaged in curricula development, program monitoring and assessments, and the tracking of training hours. Today, the MPTC has only 24 employees and provides limited levels of training with little ability to monitor, assess, and track the training.

Comparison of Police Training Funds by State

A 2008 state-by-state comparison of police training funding indicates that Massachusetts pays substantially less in state funds than other states to train its municipal police officers. In 2008, Massachusetts had a budget of \$2,911,398 to train 15,568 police officers; this translates to \$187 spent on training for each officer.¹

The chart below compares the per capita allocation of state funding in a number of states (the total budget divided by the number of officers). Training allocation in this sampling ranges from \$187 to \$1,525. Massachusetts pays the lowest amount at \$187. The state with the second lowest per officer cost, Washington, is nearly twice that of Massachusetts, \$368.

State	Total Budget	# of Officers	Per Officer \$
Massachusetts	\$2,911,398	15,568	\$187
Washington	\$9,537,827	25,888	\$368
Illinois	\$15,000,000	39,500	\$380
Pennsylvania	\$10,541,358	24,609	\$423
Maine	\$1,600,000	3,500	\$457
Connecticut	\$3,156,533	6,250	\$505
Arizona	\$7,700,000	14,500	\$531
Maryland	\$8,400,000	13,100	\$641
California	\$60,300,000	91,000	\$662
Florida	\$52,960,000	80,000	\$662
South Carolina	\$10,541,358	14,000	\$752
New Hampshire	\$3,929,211	4,211	\$933
Kentucky	\$17,800,000	15,000	\$1,186
Vermont	\$2,700,000	1770	\$1,525

Impacts of Chronic Underfunding

The commission found that the chronic underfunding of the MPTC has significantly affected the following areas of training:

Curriculum:

- The absence of consistent, adequate funding prevents the MPTC from engaging in and implementing multi-year, progressive training plans.
- The MPTC curriculum for basic recruit training has not been overhauled in over a decade.
- The MPTC does not have sufficient funding to send instructors to advanced training. As a result, the MPTC must rely on instructors to keep updated on their own. Just as significantly, there are insufficient

¹ This calculation does not include funds paid for basic recruit training by municipalities.

resources to monitor that the instructors' programs are remaining up-to-date in their subject matter .

- There is very limited funding available to bring in outside resources and subject matter experts to develop new or updated curricula in most areas of instruction.
- Consequently, the MPTC lacks the ability to develop assignment-specific career training paths for critical functional areas, such as supervision, investigations, and administration.
- And due to the staffing shortage, a comprehensive development of new programs for basic recruit, in-service and specialized training within the MPTC is simply not possible. Likewise, staffing shortages also preclude the ability to establish a system of program review and monitoring to measure efficacy and verify consistency of training.

Instructors:

- Currently, no funding is available for the MPTC to conduct evaluations of instructors and their material. As such, there is no mechanism to track uniformity among the academies and confirm that classes and instructors are meeting minimum standards.
- There are no resources available to provide professional development services to instructors.
- The MPTC must rely on an informal process to recruit class instructors, as there are no official programs to bring in new instructors to the academies.
- MPTC budget reductions have forced the reduction or elimination of instructor training programs for:
 - a. Firearms basic instructor training;
 - b. Firearms instructor recertification;
 - c. Defensive tactics basic instructor training and instructor recertification;
 - d. TASER instructor training;
 - e. Pepper spray instructor training;
 - f. First aid/CPR instructor training; and
 - g. Health and wellness instructor training.

Certification:

- The MPTC maintains a database of which officers have taken which MPTC sponsored courses. However, deficiencies in staffing and the database limit the type and amount of training data that can be and is entered. The MPTC lacks funding to expand the database to include training programs offered by the departments themselves or attended out of state. Consequently, the Commonwealth lacks a comprehensive compilation of police training, either by department or by officer.
- As a result of these deficiencies, the MPTC is currently unable to maintain a central registry of training for all the police officers in the Commonwealth. This means there is no mechanism in Massachusetts to

determine if proper and statutorily mandated training requirements are being met by officers and departments.

Facilities:

The MPTC facilities are all currently leased and all of them are deficient in a variety of ways. For example:

- HQ – Randolph: MPTC just entered into a 10-year lease for this former elementary school. There are no available showers for recruits, and the on-site gymnasium is an elementary-school sized gym, which is not sufficient for training 40-plus adult, student officers. As a result, fitness training must be conducted in Stoughton and Abington, creating a disruption in training while student officers commute between the gym and the classroom. The facility has leaks, rusting beams, and other deterioration that does not project a professional image. There is also no range available on-site for firearms training.
- Boylston: This space, located in Boylston Town Hall, is also leased. There no range facilities for firearms training; the weight training room is inadequate; and the shower facilities are antiquated and too small.
- Plymouth: There is concern over the escalating rent for this property. There are no on-site gym facilities and there is currently no range available for firearms training.
- Reading: Overall, the building space is of poor quality. The area used for basic recruit training is too small and has columns located directly in the middle of teaching space. The area used for veteran officer instruction is also too small and lacks restroom facilities. Officers attending the class must leave the building to use the restroom. There is no range available for firearms training.
- New Bedford: One classroom and an office are available for in-service and specialized training only, limiting the ability to host multiple training sessions simultaneously. Basic recruit training cannot be held in this location. There is no range available on-site for firearms training.
- Springfield: The gym is not part of the facility and is located off-site. There is no range facility for firearms training.
- All the facilities share a significant deficiency: the absence of an emergency vehicle operation training track. This is actually a statewide deficiency. Nowhere in the Commonwealth does such a track exist. Currently, all police driver training is conducted on borrowed airport runways. Although police trainers have made these training venues

suffice, in reality, the sites do not provide optimum training in this high-liability skill area.

Distance Learning:

In the interest of saving agencies time and money and to accommodate staffing challenges, the MPTC added web-based online training programs in 2009. Even though the program is in its infancy, it has been well received and participation is climbing steadily.

Distance learning is generally a more cost effective method to teach a greater number of students. Distance learning saves cities and towns money in overtime-backfill costs since the department can have officers trained without having them travel to academy locations. This also saves costs associated with travel, such as the costs of fuel, vehicle maintenance, and per diems. Distance learning also increases availability of training by eliminating cancellations caused by insufficient student numbers. Because distance learning is more economical and logistically simpler, it enables departments to train every officer instead of merely a percentage and allows the departments to have officers participate in the training at a time convenient to the department.

Unfortunately, the success of online learning may also be its demise. The commission has found that a lack of funding for staff and infrastructure improvements severely curtail the MPTC's ability to meet demands for additional curriculum, and limits its ability to deliver requested training data. The MPTC currently only has the resources to fund one person dedicated to distance learning. Currently, the MPTC can't keep up with the administrative needs and demands for new programs.

The lack of police training funds has also negatively impacted all (4) four areas of police training.

1. Impact on Basic Recruit Training

- The basic recruit curriculum has not been overhauled in over a decade.
- Insufficient funds require that basic recruit training be tuition based. (\$2,500 per officer). This expense is a strain on the cities and towns of the Commonwealth.
- Under the tuition-based system, an academy cannot start with less than 40 recruits without suffering an economic loss. As such, recruits sometimes are forced to wait many months for an academy class to start.
- There is no stable career staff for continuity of education. All instructors are part-time, contractual employees (police officers) whose presence in the classroom is routinely influenced by mandated court appearances or forced department overtime.

2. Impact on In-Service Training

- Lack of funds has reduced the number of weeks that in-service training can be offered to officers which drastically reduces the total number of officers trained and the types of training that can be offered.
- Lack of funds increases student/teacher ratios.
- Regional firearms training and qualifications have been virtually eliminated.
- The subject matter of in-service training is driven by what agencies can afford, not the full breadth of public safety needs and requirements.
- The annual in-service program covers the same subject matters each year because there are not sufficient funds to develop new curricula.
- As with basic recruit training, no consistent, career staff exists.
- Program monitoring is insufficient and inadequate.

3. Impact on Specialized Training

- Lack of necessary funds has forced the MPTC to reduce statutorily required training programs such as: supervisor promotional training; rape investigations/sexual assault training; suicide prevention training; domestic violence training and hate crimes training.
- Underfunding limits the ability to update curricula.
- The MPTC is unable to utilize nationally recognized programs, and must solely rely on regional resources.
- As previously stated, the MPTC is unable to develop assignment-specific career path training for critical functional areas, such as supervision, investigations, and administration.
- Examples of specialized training courses no longer offered by MPTC due to budget constraints:
 - Arson investigation
 - Accident investigation
 - Spanish for police officers (or other pertinent languages)
 - Drug raid planning and investigation
 - Background investigation
 - Criminal Investigators School
 - Management classes
 - Stress programs for police officers
 - Collection/Preservation of evidence
 - Police prosecutor program
 - K-9 training
 - Fingerprinting/AFIS training
 - Internal affairs investigation

4. Impact on Reserve/Intermittent Training

- Insufficient funding has inhibited the MPTC's ability to provide reserve training.
- As a result, the MPTC currently contracts with regional police chief groups to operate regional training programs with subsidies from the MPTC.

- The police chief groups then charge students officers a fee to offset the costs of the training.
- Moreover, the MPTC does not have the resources to develop a progressive training regimen to take reserve officers to the performance and skill levels of fulltime officers.

Police Training Provided to Law Enforcement Officers Regarding Mental Illness

The commission was tasked with studying and making recommendations relative to law enforcement officers in handling incidents involving persons with mental illness. Currently, the MPTC basic recruit curriculum contains a training section entitled “special needs” which encompasses issues regarding mental illness. In addition, training regarding mental illness is part of a first-aid recurring block of in-service training which is generally offered on a three year cycle. With an increased and dedicated revenue stream, programs in this area could be enhanced and offered on a more regular basis.

The Vision for Police Training in the Commonwealth

The commission recommends the following vision for police training in the Commonwealth. Given the aforementioned shortcomings in police training, the commission affirms that the current funding model is not only insufficient for creating the vision outlined below, but more seriously, is negatively affecting the quality and quantity of current police training and police service in Massachusetts. Municipal policing training requires adequate and consistent funding. A dedicated source of funding would allow for strategic planning (rather than survival planning) and would allow for a deliberative vision to be implemented and realized.

The commission recommends the adoption of a Peace Officer Standards and Training (POST) model for the oversight and delivery of police training for municipal police officers. In summary, a POST system is one in which a statewide agency (in this case, the MPTC or its successor) sets statewide training standards, oversees development and approval of training curricula, delivers training as required, provides program oversight and monitoring, documents training, and provides certification to officers meeting training standards. This model is currently used by most states.

The POST model is designed to address accountability, timely and quality training, consistency, and certification. Additionally, through the proposed strategic plan, the commission recommends that MPTC be empowered and enabled to develop a system to fully hold officers, instructors, and agencies accountable for meeting strict minimum training requirements. This training, in addition, must be provided in a timely manner and must meet the highest standards as it addresses both basic and advanced training needs. It is equally as important that the training be consistent across all agencies. All newly developed and established programs and curricula must be delivered and applied with uniformity and consistency.

Lastly, the commission recommends that MPTC, through the proposed strategic plan, establish a multi-level certification program designed to recognize the attainment of training standards. This certification process would allow officers to produce documentation that confirms they are certified and have met professional standards required to effectively serve. Conversely, certification can also be denied to those officers who do not meet minimum training standards as determined through this model.

The POST model addresses the following five (5) key areas:

1. Delivery

Recruit Officer (RO) training:

- The commission recommends that MPTC continue to be the cornerstone for and provide Recruit Officer training, but in fewer locations.

- The commission recommends that MPTC no longer use a tentative (“float”) status for reserve officer training. Sessions will be scheduled to meet demand and once scheduled, will be delivered regardless of class size.
- The commission recommends that MPTC continue to approve and facilitate reserve officer training for fulltime and reserve officers at non-MPTC facilities to allow them to meet their specific training needs, to provide non-residential training options, and to augment MPTC training sites when the influx of recruit officers exceeds MPTC training capabilities.
- The commission recommends that MPTC develop a program wherein Staff Instructors will be recruited from departments willing to assign the officer to MPTC for two years. The officers would work fulltime for MPTC on a temporary (two-year) assignment, with MPTC offsetting the salaries of the officers during their tenure at MPTC.

Professional Development training (also known as In-Service training):

- The commission recommends that MPTC continue to develop and deliver curricula in core and mandated training areas for fulltime and reserve officers.
- The commission recommends that MPTC develop, deliver, and facilitate the delivery of curricula to allow veteran officers to obtain up-to-date training in a timely manner.
- The ability for agencies and officers to meet general professional development requirements through department-sponsored training will be expanded. The commission recommends that MPTC help agencies identify training opportunities and host training to help meet the expanded training requirements in non-core areas.
- The commission recommends that MPTC assist agencies by providing referrals and conducting training at sites statewide.
- The commission recommends that MPTC become a hub for police officer training statewide, including the establishment of a statewide training calendar listing all approved police-related training being conducted across the Commonwealth, regardless of provider.

Specialized training:

- The Commission recommends that MPTC conduct a needs assessment to identify specialized training needs.
- Specialized training will be targeted in areas having statewide applicability, such as Investigations, First Line Supervision, Drug Recognition Expert, Instructor Development, Defensive Tactics, and First Responder, etc.
- The Commission recommends that MPTC develop career training tracks for various disciplines, as appropriate. In addition to these core training tracks, ongoing Professional Development training would be conducted in each of these areas.
- As a long-term goal, the commission recommends that MPTC work with labor, Civil Service, and department administrators to develop programs

related to advancement in various specialized career paths within the police profession.

Hosted training²

- The commission recommends that MPTC begin conducting training needs assessments and monitor emerging trends in policing to identify hosted training needed in the Commonwealth.
- The commission recommends that MPTC coordinate and sponsor training to meet identified needs.

2. Facilities

Recruit Officer

- The commission recommends that MPTC reduce the number of sites delivering Recruit Officer training to two (2) training facilities strategically located in the state.
 - Both facilities would have dormitory rooms to eliminate the need for traveling to and from training daily and to eliminate the need for agencies to rent lodging for their student officers.
 - Both facilities would have a firearms range and an adequate gymnasium facility.
 - One facility, preferably the centrally located facility, would have an emergency vehicle operations course.
 - The MPTC headquarters staff would be collocated with one of the facilities.
- Currently, two locations should be investigated for their feasibility:
 - Massachusetts Military Reservation (MMR) and
 - State Police Academy site in New Braintree.
- Reserve officer training will continue to be provided at regional training sites.

Veteran Officer Training

- The commission recommends that Veteran Officer training be delivered regionally to reduce travel time. Additionally:
 - The MPTC continue to staff regional MPTC training sites.
 - The current MPTC training sites be reevaluated to determine if their size is appropriate based upon projected Veteran Officer training needs.
 - The MPTC utilize more departmental training sites to deliver training, taking training into the field to reduce impacts on staffing and travel.

² Hosted training refers to classes from nationally and regionally renowned providers and/or classes whose costs exceed the capacity of the budgets of individual departments and regional associations. It also includes training in specialized areas.

Hosted Training

- Hosted training will be conducted at a variety of venues, depending upon the nature of the training.
- Some needed training can be conducted with larger audiences, such as most executive-level training, and will mainly be conducted at rented sites capable of holding larger audiences to maximize attendance.
- Other needed training, such as emergency vehicle operation and firearms training, necessarily requires smaller groups. As a result, smaller, more appropriate venues would be utilized.

3. Programs and Standards

Overview

- The Programs and Standards unit will be expanded to allow it to engage in training needs assessments; officer, instructor, and class certifications; improved recordkeeping; expanded online training; and monitoring and evaluation of training.
- The additional staffing needed to perform these functions is estimated to be twenty (20) FTEs.

Officers, Instructors, Programs

- Officers will be certified as having met minimum training, educational, and tenure requirements. These certifications will be leveled based upon having attained specified training benchmarks and time in service.
- A recordkeeping system will be developed allowing for the tracking of officers and the training they have received, for the tracking of instructors, for the tracking of classes being delivered statewide (regardless of the provider), and for the tracking of certifications of officers, instructors, and classes.
- Instructor certification will include establishing minimum standards for instructors, vetting of instructor credentials, recertification standards, and monitoring instructor performance.
- Programs will have two levels of approval:
 - For non-MPTC classes, programs will receive a more cursory review to verify the content is sufficient for the time requested and to verify the content is police-related. Approvals will stipulate that the provider is solely responsible for the course content.
 - For MPTC classes, classes will be developed or reviewed by subject matter experts and such classes will be certified for content.

Statewide Coordinators

- The commission recommends that MPTC convert the contracted statewide coordinator positions into staff positions and include a statewide coordinator in the area of legal research, review, and development.
- The functional areas of statewide coordination will be regularly reviewed to determine if oversight areas should be reduced or expanded to meet training needs.

Structure and Oversight

- This model is predicated on the current MPTC structure remaining in place, wherein:
 - The MPTC continues to have two components: an advisory committee and staff;
 - The MPTC staff is headed by an executive director;
 - The MPTC advisory committee would continue to have its current structure and membership;
 - The MPTC would solely set standards for municipal police training;
 - The MPTC would continue as an agency within EOPSS; and
 - Changes are made to the General Laws clarifying MPTC's authority with respect to overseeing municipal police training.

Considerations for a Statewide POST System

The above vision is predicated upon the MPTC's current mandate and as such, is focused on municipal police training. However, this model has a much broader applicability. The commission sees merit in developing a statewide POST system with oversight over all law enforcement training, rather than limiting oversight to municipal police training. Such an arrangement would then provide an agency to develop, coordinate, and oversee training for those law enforcement groups currently without such oversight. If the desire of the Commonwealth is to establish a statewide POST system applicable to all officers exercising police powers, the model described above can be easily expanded to accommodate the broader span of oversight provided appropriate MGLs are in place.

A potential structure for such a statewide POST system would include:

- A statewide Commission (Massachusetts POST) comprised of voting members representing each group overseen by the MassPOST Commission. This Commission would be the ultimate decision-maker with respect to law enforcement training standards.
- Likewise, the Commission would utilize training standards as the foundation for certification standards, certifying officers at an appropriate level based upon training, experience, and education. Similarly, the Commission would have the authority to withhold the certification for any officer failing to meet minimum training standards.
- The Commission would continue to operate as an EOPSS agency and would be supervised by an executive director selected by the Secretary from names submitted by the POST Commission.
- The Commission itself would be advised by a series of Committees representing the various stakeholders. For example, the Committees would include but not be limited to, a Municipal Police Training Committee, a Campus Police Training Committee, a State Police Training Committee, a Harbormasters Training Committee, an Environmental Police Training

Committee, a Sheriffs Training Committee, and a Department of Corrections Training Committee.

- Each of these Committees would be chaired by their group's respective member of the POST Commission.
- These Committees would develop training standards for their group, which would then be delivered to POST for final approval and oversight.
- POST would then direct staff to develop and facilitate delivery of the training and where applicable, would empower the groups themselves to develop and deliver the training, such as professional development and specialized training venues.

The POST Commission staff would be generally divided into four groups: Administrative Support, Programs and Standards, Delivery, and Facilities.

- The Administrative Unit would be comprised of the executive director and the staff responsible for the day-to-day operation of the Commission.
- The Programs and Standards Unit would be responsible for taking direction from the Commission and subsequently developing training standards, training protocols, lesson plans, evaluative tools, and tracking procedures and processes.
- The Delivery Unit would facilitate the delivery of training, both as providers of training and as training coordinators who would identify programs and instructors in identified training areas and would host and/or assist agencies with that training.
- The Facilities Unit would coordinate use of MPTC sites and partner with other agencies and entities for use of additional training sites to maximize attendance.

4. Changes to General Laws

- There needs to be a clearly articulated requirement that police agencies report officer information to MPTC, including a requirement to report changes of status, such as departures and changes in rank, in a format established by MPTC.
- The ability to certify officers who meet training standards must be clearly stated, as well as the authority to withhold certification for failing to meet minimum standards.
- With statewide coordinator positions becoming fulltime MPTC staff positions, MPTC needs to be able to recruit the officers with the best qualifications for the positions. To that end and to incentivize employment at MPTC, the General Law should be amended to allow officers coming into the MPTC to retain their membership in their police retirement system, provided they have been employed for a legislatively set number of years before joining the MPTC.
- The creation of a Massachusetts POST Commission would require corresponding changes to the General Laws.

5. **Funding**

- The commission recommends that a dedicated, adequate, consistent funding mechanism needs to be identified and established.
- The commission also recommends the establishment of an MPTC trust or retained revenue account to allow the MPTC to recoup and reinvest nominal fees for services, such as collecting:
 - Training registration fees for selected veteran officer training,
 - Facility usage fees imposed when other entities utilize MPTC facilities for meetings and training, and
 - Document reproduction fees for bulky documents.

Funding

As stated above, the commission recommends the establishment of a statewide POST system. Notwithstanding that recommendation, at a minimum, the commission recommends that the MPTC continue to be (i) responsible for establishing and maintaining training standards for the municipal police officers of the 351 cities and towns in Massachusetts and (ii) tasked with delivering training and other professional development programs to the state's municipal police officers. In order to implement either of these models fully, however, adequate and consistent funding will be required.

Since the inception of the MPTC and its predecessor agencies, a number of funding models have been formally or informally proposed to provide the Commonwealth's municipal officers consistent, high-quality training. The commission has found that these funding proposals have faltered, or if tried, have not provided the necessary resources to ensure a robust and effective training infrastructure and delivery system. Some of the proposals explored in the past include, but are not limited to:

- A retained revenue account process established in 2000, wherein the MPTC collects a \$2,500 fee for each student officer attending basic recruit training. Since the fee is inadequate to cover the actual costs of training (as stated earlier), it is obviously inadequate for funding all municipal police training.
- A surcharge on citations was actually an effective funding mechanism decades ago. However, that mechanism was halted, and currently, ticket surcharges for funding other programs preclude a reinstatement of such surcharges to fund police training.
- In some states, alcohol taxes include a funding mechanism for police training.
- A diversion from the head injury surcharge was suggested but those funds are already dedicated to and needed by other programs.
- Increased fee on motor vehicle registration renewals
- An assessment imposed on those convicted of misdemeanors and/or felonies.

Going forward, it is recommended that a motor vehicle insurance policy surcharge be collected to cover the cost of expanded training and professional development for veteran and municipal police officers and for expanded recruit training conducted by the MPTC³. Funding would also support the delivery of

³ It can be argued that those committing crimes subsequently creating the need for police action should be those who bear a higher burden for funding of police training. In today's economic climate, requiring a surcharge on criminal offenses may be more palatable than proposing a surcharge on all automobile policies. Chairman Michael Costello, interested in examining other possible funding sources besides the insurance surcharge, has suggested alternatives, such as fees similar to the Victim Witness Fee or the Head Injury Trust Fund. According to the Trial Court's collection report, in 2009 a total of \$5,450,092.18 was collected under section 8 of MGL chapter 258B (Victim Witness Fee). Additionally, from the RMV, a total of \$8,498,985 was collected under said section.

distance learning programs for municipal police officers and the development and execution of standards and evaluations programs for training courses and instructors engaged through the POST Model.

A similar funding model already exists within the Commonwealth. Currently, an assessment on homeowner casualty insurance providers funds Department of Fire Services (DFS) training. This dedicated and consistent funding mechanism allows DFS to engage in progressive, proactive training plans and programs.

Currently, there is a proposal to create section 116E of chapter 6 of the General Laws to create a motor vehicle insurance surcharge for the purpose of funding police training. Highlights of the proposed funding model involving that motor vehicle insurance surcharge include:

- Sums for the estimated expenses of providing police training programs conducted by the MPTC will be paid to the Commissioner of Insurance by property and casualty insurance companies writing motor vehicle insurance policies in the Commonwealth.
- Funds will be collected by means of a policy surcharge imposed upon the policyholder of any private passenger automobile policy issued by any property and casualty insurance company writing motor vehicle insurance policies in the Commonwealth.
- The amount of any surcharge will be separately stated on either a billing or policy declaration sent to an insured motorist.
- The rate of the policy surcharge will be determined and adjusted annually by the Commissioner of Insurance to a rate sufficient to fund the expenses estimated by the Secretary of the Executive Office of Public Safety and Security.
- Any surcharge collected in a fiscal year but not expended by the MPTC or department of state police shall be retained by the Commonwealth for use by the MPTC or department of state police. The retained surcharge shall be credited against the amounts required to be collected in the following year, and those required payments shall be reduced by the amount of this credit.

The commission supports this funding mechanism based on the solid, indisputable nexus between police training, police services, and motor vehicle insurance, which is outlined below.

Nexus between Law Enforcement and Insurance Companies

Well-trained officers are a substantial benefit to the auto insurance industry in many areas. Not only is the industry undeniably impacted by the safety of Massachusetts roadways, but the industry also benefits from the pro-active work of police departments on a daily basis. Highlighted below are a number of ways which police activity is a direct benefit and support to the motor vehicle insurance industry.

Traffic Safety/Enforcement

- The correlation between effective traffic enforcement and reduced collisions and traffic-related injuries/fatalities is well documented.
- Insurance companies use crash data from officer investigations to determine rates based upon crash exposure, damages, and injuries.
- The insurance industry routinely utilizes police reports in making determinations of accident culpability.
- The industry utilizes police “at fault” determinations from accidents in determining insurance rates for policy holders.
- The insurance industry also utilizes data from police citations in conducting risk assessments of current and potential policy holders. These risk assessments directly affect the rates which insurance companies charge their customers.

Theft/Vandalism

- Security of property, especially vehicles, is important to automobile insurance companies that must pay claims due to vehicle burglaries and thefts.
- Police presence acts as a deterrent for crimes of vandalism against motor vehicles.
- Investigations/arrests for vandalism prevent further claims and can also be basis for restitution.
- The insurance industry benefits financially from the recovery of stolen motor vehicles.
- Officers who are well trained in crime prevention and interdiction techniques are, therefore, an aid to insurance companies.

Fraud

- The Commonwealth has specialized teams trained to investigate and prosecute insurance fraud. These teams save insurance companies money and their work also recoups losses and helps to keep rates down.
- Insurance fraud investigations save the industry from paying bogus claims.

Merit Rating Board Hearings

- Police officers testify at Merit Rating Board (MRB) hearings, which affect individual insurance rates.
- Well-written reports positively affect the outcome of MRB hearings for the industry

Recommendations

Based upon all of the aforementioned, the commission respectfully comes forward with three recommendations. First, the commission recommends the establishment of a consistent, adequate, dedicated funding mechanism for police training utilizing a surcharge on motor vehicle insurance policies. Second, the commission recommends the establishment of a statewide POST system for overseeing law enforcement training in the Commonwealth. Third, recognizing that issues pertaining to mental illness require specialized training, the MPTC should continue to update and refine such training for implementation on a statewide basis.