



Public Safety & Transportation Committee Report

City of Newton **In City Council**

Wednesday, October 6, 2021

Present: Councilors Downs (Chair), Markiewicz, Bowman, Grossman, Lipof, Oliver, Lucas and Malakie

City Staff: Jonathan Yeo, Chief Operating Officer; Chief John Carmichael, Jr. and Sergeant Michael Wade, Newton Police Department; David Koses, Transportation Coordinator and Isaac Prizant, Traffic Engineer

Others Present: New TV; Jeremy Freudberg, Alternate Resident Traffic Council Member; Attorney Frank Stearns, Holland & Knight and Tracey Ritucci, Director of Transportation, Mass General Brigham

#342-21 Appeal of Traffic Council Decision TC54-21(#8.) Parker Road

KENNETH DADDABBO, 395 Parker Street, Newton appealing the approval of Traffic Council petition TC54-21 on July 22, 2021, for a stop sign Parker Road at Parker Street, eastbound. (Wards 6 & 8)

Action: **Public Safety & Transportation Denied 7-0, Councilor Malakie not voting**

Note: David Koses, Transportation Coordinator and Isaac Prizant, Traffic Engineer joined the Committee for discussion on this item.

Mr. Koses presented Committee members with a PowerPoint presentation (attached). Mr. Koses stated that on July 22, 2021, Traffic Council approved the installation of a stop sign at Parker Road, eastbound, at Parker Street. There are no warrants that apply to install this stop sign. A "T" intersection is an implied stop. It is not necessary to install a stop sign although a stop sign is allowed and benefits safety.

Since the appeal was filed, the city has installed bike lanes on Parker Street. The Newton Police Department issued an emergency temporary stop sign order for the fourteen side streets that were not specifically mentioned in the appeal, and those stop signs have been posted in coordination with opening the schools. Every "T" intersection on Parker Street now has a stop sign except Parker Road. No negative feedback has been received from any street where a stop sign was added. Mr. Koses then provided Committee members with options for consideration.

Chair Downs opened the discussion to members of the public. Kenneth Daddabbo, petitioner, stated that Parker Road is a private way, half paved and half dirt. If the City is going to enforce and install a stop sign, then Parker Road residents would like for the City to pay for maintaining the road. He then stated that he prefers no stop sign.

Chair Downs stated that the appeal is for a stop sign, not to discuss the condition of the road and whether it is a private or public way. Councilor Lipof suggested Mr. Daddabbo contact him regarding the private way to make Parker Road a public street or to pave it. Councilor Lipof then stated that stop signs are a necessary safety measure, particularly for the children walking and biking to school.

Residents' concerns and suggestions:

A resident agreed with Mr. Daddabbo that before the City adds stops signs to Parker Road, it should take responsibility for the condition of the road, which is unsafe.

Several residents spoke supporting the stop sign installations, citing safety, precedent, and noting the lack of any other demarcation on Parker Road to indicate a pedestrian or bike crossing at the T.

Committee members comments, suggestions, questions and answers:

Where would the stop sign be placed, would it be placed on private property? Mr. Koses answered that the Traffic Superintendent would determine the exact placement of the stop sign, perhaps on the existing utility pole.

Have there been any bike accidents on Parker Street at these "T" intersections? Jenn Martin, Chair, Safe Routes to School stated that across the city crashes are increasing. Twenty pedestrians have been hit by drivers and 20 cyclists (8 of them children) have been in crashes with vehicles since January 1, 2021. The most recent was last week at Parker and Boylston Streets.

A suggestion was made to paint a stop bar line on Parker Road if the stop sign is installed. Mr. Prizant agreed.

Without further discussion, Councilor Lipof made a motion to deny this item upholding Traffic Council's decision to install all fifteen stop signs, as originally docketed for Traffic Council. Committee members agreed 7-0, Councilor Malakie not voting.

#369-21 Requesting six (6) new bus licenses for Mass General Brigham
MASS GENERAL BRIGHAM, requesting **six (6) new bus licenses** for Mass General Brigham.

Action: Public Safety & Transportation Approved 7-0, Councilor Malakie not voting

Note: Sgt. Wade, Attorney Frank Stearns, Holland & Knight and Tracey Ritucci, Director of Transportation, Mass General Brigham (MGB) joined the Committee for discussion on this item.

Attorney Stearns stated that in June 2021, this Committee approved a bus license renewal for Medical Academic and Scientific Community Organization (MASCO) for one year. MASCO bus route operated to and from the Chestnut Hill Mall and Longwood medical area. MASCO ceased this service on September 30, 2021.

The Brigham and Women's Hospital (BWH) wants to continue the shuttle at its own expense. It is an important service for employees, patients and visitors.

The BWH is requesting six new bus licenses. The route and terminus will be the same and the schedule is similar to MASCO. The six buses are registered, insured and were inspected by the DMV. On September 4, 2021, the Newton Police Department (NPD) inspected four of the six buses. Two buses were not inspected because they are being repaired but will be inspected by the NPD when ready.

Attorney Stearns then said that Ms. Ritucci and the MGB are willing to discuss electric vehicles and are willing to participate in the discussions with Councilor Bowman with the feasibility of converting to electric vehicles.

Sgt. Wade stated that on September 4, 2021, the NPD inspected four buses. The buses passed inspection. BWH know to contact NPD for inspection of the two buses and will notify Committee Clerk Delaney of the results.

Residents' questions and answers:

A resident asked if the public would be allowed to use these buses, a useful service to patients. Attorney Stearns answered that the MGB service will be available to employees, patients and visitors. The primary use of the bus will be for employees.

Committee members comments, questions and answers:

It is great to hear that MGB will be operating their buses in Newton.

Are employees paying for parking and the bus or is the service free to employees? Attorney Stearns answered that the bus will be free for the employees.

Can people walk and bike to the bus stop? Can the public use these buses? Will the public be charged? Ms. Ritucci answered that yes, there have been instances when the public walk up to the bus. The driver would keep an eye on ridership ensuring that they are not reaching capacity limits. The buses will be free to the public.

Will MGB operate the buses? Ms. Ritucci answered yes, the transportation department of the MGB will operate the buses.

Councilor Bowman stated that in the New Year, the working group will convene to discuss reducing bus emissions and moving toward an all-electric fleet.

Without further discussion, Councilor Grossman made a motion to approve the six bus licenses. Committee members agreed 7-0, Councilor Malakie not voting.

#138-21 Discussion with the Administration on the Newton Police Reform Task Force
PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting a discussion with the Administration on the Newton Police Reform Task Force recommendations and matters pertaining.

Action: **Public Safety & Transportation Held 8-0**

Note: Docket items #138-21, #272-21 and #248-21 were discussed together. Please refer to docket item #248-21 for discussion on these items.

#272-21 Request for quarterly updates on Task Force recommendation progress
COUNCILORS NORTON, ALBRIGHT, WRIGHT, LUCAS, KALIS, GREEN, BOWMAN, HUMPHREY, LAREDO, KRINTZMAN, DOWNS AND LIPOF requesting quarterly updates from the Mayor and Police Chief to the Police Reform Task Force and Public Safety and Transportation Committee on the progress toward implementing Task Force recommendations.

Action: **Public Safety & Transportation Held 8-0**

Note: Docket items #138-21, #272-21 and #248-21 were discussed together. Please refer to docket item #248-21 for discussion on these items.

#248-21 Discussion with the Police Department regarding training
COUNCILORS BOWMAN, GROSSMAN, DOWNS, HUMPHREY, LIPOF, RYAN, LEARY, DANBERG AND NOEL requesting a discussion with the Newton Police Department on training including discussion of training that supports the Police Reform Task Force recommendations for additional training for officers on systemic racism, behavioral health and cultural responsiveness to marginalized communities. Discussion should include what training officers and others are attending (internal and external) including overview of the content, who is receiving the training, and an assessment of the effectiveness.

Action: **Public Safety & Transportation Held 8-0**

Note: Chief John Carmichael, Jr. joined the Committee for discussion on docket items #138-21, #272-21 and #248-21.

Chief Carmichael provided Committee members with backup material on Post Officer Standards & Training Commission (POST), (attached).

Chief Carmichael stated the Acts of 2020, Chapter 253, Police Reform Bill is known as the act relative to justice, equity and accountability in law enforcement in Massachusetts. An emergency law, necessary for the immediate preservation of the public safety. This act created Chapter 6E which is now known as POST.

POST created a commission of various disciplines that would provide oversight of police training and accountability. POST is broken into two different divisions. 1) The Police Certification Division works

with the Massachusetts Police training council (Public Safety and Security Branch). The basic responsibility of the Police Certification Division is that they review all training for officers in Massachusetts and provide the certification of officers and the department. 2) Division of Police Standards is the oversight party of POST. The basic responsibility of the Division of Police Standards is that they accept and investigate complaints and have access to internal affairs files. By statute, the Division of Police Standards is the law enforcement agency which determines whether an officer should be suspended, have his/her status revoked, or need more training. POSTs' goal is to ensure public safety and trust.

Chief Carmichael explained that the law includes new mandates and officer misconduct and certification. The law defines deadly force and bias in policing, prohibits shooting at or from a motor vehicle, use of force during a demonstration, and choke holds. It has new rules requiring intervention, reporting in the case of injury, death, or use of force. There are new rules around facial recognition, de-escalation tactics, excessive force, and no-knock search warrants. Also new policies on racial profiling, training, certification, School Resource Officer policies, diversion, legal rights, information, hiring standards, and in-service training and requirements. It makes submitting false detail slips a crime (mostly as a result of State Police revelations). The Police Department now has new reporting requirements to POST.

If POST receives a complaint, they must notify the officer, department and union.

Chief Carmichael is fairly confident that the Newton Police Department is ahead of the curve in implementing POST requirements. The department is nationally accredited through COLEA, an incredible accomplishment. COLEA requires over five hundred standards to qualify.

Committee members comments, suggestions, questions and answers:

Is the department ready or ahead of complying with POST mandates? Chief Carmichael answered that the department is in a very good place meeting POST mandates. The department has been training on 21st century policing since 2014. Parts of the law went into effect on January 1, 2021. The department has made changes to duties, intervention, policy changes and use of force. The department is in the process of aligning NPD policy language with specific language from POST. The department submitted any complaint filed against an active officer throughout their career to POST in September 2021, meeting the deadline.

What tangible changes have taken place in the department? Chief Carmichael answered that the department has few uses of force incidents because of officer training. The department conducts in-service training that is in-line with POST law training for at least four years. Still, public perception of police is critical.

Are the Newton Police Task Force recommendations becoming a reality? And how is morale in the department? Chief Carmichael answered that in his opinion, NPD is a great department. Morale is very important. Officers need to feel supported, valued and appreciated. The public has been supportive

of the Chief and officers. The department is headed in the right direction on improving standards and following POST recommendations. Chief Carmichael stated that he looks forward to continuing improvement. Progress is being made as recommended by the Newton Police Task Force.

Is POST changing the department's hiring process? Chief Carmichael answered that currently the department is in civil service. An officer must meet certain standards including age, high school graduation, and medical and psychological fitness before taking the test. Most recently, a very small number of Massachusetts people took the civil service test. There are thirty-one diverse candidates on the civil service list. POST certifies each officer by comparing information with a national data base and they will have the oversight of testing, promotional testing and the interview process.

Please describe your contacts with the Newton Coalition of Black Residents or other groups? Chief Carmichael answered that he has met with the Newton Coalition of Black Residents. The department's Community Services Department and others have helped Chief Carmichael meet with a diverse set of residents.

What would be an adequate number of recruits? Chief Carmichael answered that in the past, 100 people were on the civil service list. A much better number. He is not sure why people are not taking the civil service exam even though he is encouraging students to apply to be a police officer. The low number of civil service candidates reflects a national trend.

Who would make the decision if Newton were to leave civil service? Chief Carmichael answered that to leave civil service a municipality must withdraw using the same mechanism as when they went in. It would be necessary to discuss with the union. Currently, the City must hire from the top three candidates on the civil service list. POST will review the possibility of expanding the list and creating a bigger candidate pool.

Do you know if NPD has used no-knock search warrants or choke holds in the past several years? Chief Carmichael answered that historically, the NPD does not use no-knock search warrants. He said he was unaware of any choke holds being used by officers. If either take place, a report should be written, reviewed and tracked.

Will POST mandate training for the School Resource Officers? Chief Carmichael answered that Newton's SROs are welcomed in the schools because they have strong relationships in their buildings. POST mandates on SRO training and certifications will be complete in December 2021. NPD and the School Superintendent must have a new memorandum of understanding in place by February 1, 2022.

Data is provided on the department website. Would you be open to creating a data dashboard providing locations, number of incidents, etc.? Chief Carmichael answered that he would like to work with the City to work on the department website to make it more user-friendly. The website is updated daily. He is open to suggestions.

What metrics does NPD and the city have to determine whether training is effective? Chief Carmichael answered data, measuring police performance and community engagement shows whether training is effective or not. A community survey was recently sent out and results are on the department website.

Is it normal to wait nine months to hear the outcome of Michael Conlon shooting death? Chief Carmichael answered yes, due to evidence collection, evidence processing, inquest and the medical examiner report.

Is data available on positive or negative department feedback from the survey? Chief Carmichael answered that he did not have this information available.

A suggestion was made to provide the survey to Committee members.

Comments from Chat:

Newton gives preference to candidates who have lived in Newton for one year, is that right? Is that preference a function of civil service law, or does Newton have the ability to remove that preference even prior to leaving civil service?

Chief Carmichael answered that is a requirement of civil service. People receive preference for certain things including residency and veteran status. You cannot bypass the top three selections of the civil service test. If you do, you must provide documented reasons. The passed-over applicant also has a right to appeal the decision.

I understand that in general there is a low number of incidents with excessive force, but what has been done to learn from the shooting death of Michael Conlon on January 5? How has this incident been dealt with and processed?

Chief Carmichael answered that he cannot comment on this situation as it is still being investigated by District Attorney Marion Ryan's office. Under state law, the District Attorney and Medical Examiners offices have jurisdiction over these types of situations.

To add, in the spirit of changes under POST, can the department commit to more transparency to Newton residents, including around the case of Mike Conlon? Will residents find out which officers were involved in Mike Conlon's death, and can we learn why one of these officers is now back on the force? Can we have a correction in the record — Conlon's death is still listed as an "armed robbery." I have reached out to the DA's office months ago for an update and received no response. I think community members would appreciate it if our electeds in Newton could advocate for us to get more information more quickly.

Committee members thanked Chief Carmichael and the Newton Police Department for their diligence.

Without further discussion, Councilor Bowman made a motion to hold docket items #138-21, #272-21 and #248-21. Committee members agreed 8-0.

At approximately 9:25 p.m., Councilor Bowman made a motion to adjourn. Committee members agreed 8-0.

Respectfully submitted,

Andreae Downs, Chair

Public Safety & Transportation

City of Newton

October 6, 2021

Agenda

#342-21 Appeal of Traffic Council Decision TC54-21(#8.) Parker Road

KENNETH DADDABBO, 395 Parker Street, Newton appealing the approval of Traffic Council petition TC54-21 on July 22, 2021, for a stop sign Parker Road at Parker Street, eastbound. (Wards 6 & 8)

Original Docketed Item

#342-21

#342-21

TC54-21 COUNCILOR BOWMAN, DANBERG, KALIS, and RYAN, requesting to review and potentially approve stop signs at the following locations, as they intersect with Parker Street:

1. Howe Road, westbound
2. Marcellus Drive, eastbound
3. Whittlesey Road, westbound
4. Melina Road, westbound
5. Howley Avenue, eastbound
6. Parker Terrace, westbound
7. Roosevelt Road, westbound
8. Parker Road, eastbound
9. Truman Road, eastbound
10. Kendall Road, eastbound
11. Parker Avenue, eastbound
12. Stearns Street, eastbound
13. Walter Street, westbound
14. Browning Road, eastbound
15. Ridge Avenue, westbound

Location of Parker St - South to north (From 7.22.21 Traffic Council meeting)

#342-21

#342-21



Considerations

#342-21

#342-21

(From 7.22.21 Traffic Council meeting)

- There are no warrants that apply
- “T” intersection = implied stop
- Not necessary to install a stop sign
- A stop sign is allowed ~ No reason not to install a stop sign at a T intersection

Recommendation for Howe Road, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Howe Road, westbound, at Parker Street



Recommendation for Marcellus Drive, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Marcellus Drive, eastbound, at Parker Street



Recommendation for Whittlesey Road, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Whittlesey Road, westbound, at Parker Street



Recommendation for Melina Road, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Melina Road, westbound, at Parker Street



Recommendation for Howley Avenue, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Howley Avenue, eastbound, at Parker Street



Recommendation for Parker Terrace, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Parker Terrace, westbound, at Parker Street



Recommendation for Roosevelt Road, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Roosevelt Road, westbound, at Parker Street



Recommendation for Parker Road, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Parker Road, eastbound, at Parker Street



Recommendation for Truman Road, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Truman Road, eastbound, at Parker Street



Recommendation for Kendall Road, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Kendall Road, eastbound, at Parker Street



Recommendation for Parker Avenue, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Parker Avenue, eastbound, at Parker Street



Recommendation for Stearns Street, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Stearns Street, eastbound, at Parker Street



Recommendation for Walter Street, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Walter Street, westbound, at Parker Street



Recommendation for Browning Road, eastbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Browning Road, eastbound, at Parker Street



Recommendation for Ridge Avenue, westbound, at Parker Street

#342-21

#342-21

Approve new stop sign at Ridge Avenue, westbound, at Parker Street



Proposed TPR language

(From 7.22.21 Traffic Council meeting)

#342-21

#342-21

By **INSERTING into** the provisions of **Sec. TPR-147**. Obedience to isolated stop signs,. the following:

Howe Road, westbound.

Marcellus Drive, eastbound.

Whittlesey Road, westbound.

Melina Road, westbound.

Howley Avenue, eastbound.

Parker Terrace, westbound.

Roosevelt Road, westbound.

Parker Road, eastbound.

Truman Road, eastbound.

Kendall Road, eastbound.

Parker Avenue, eastbound.

Stearns Street, eastbound.

Walter Street, westbound.

Browning Road, eastbound.

Ridge Avenue, westbound.

CAN BE APPEALED

Appeal Deadline is August 11, 2021

Update Since Traffic Council Meeting

#342-21

#342-21

- Item was appealed – specifically for Parker Road
- NPD issued an emergency temp STOP sign order for the 14 side streets that weren't specifically mentioned in the appeal, and those STOP signs have already been posted.
- Stop signs installed in coordination with No Parking on Parker St/stripped bike lanes
- No negative feedback received from any street where a stop sign was added

Parker Street at Parker Road

(photo taken 10.04.21)

#342-21

#342-21



10.06.21

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Traffic Council

Parker Rd Looking toward Parker St (photo taken 10.04.21)

#342-21

#342-21



10.06.21

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Traffic Council

Recommended Action for PS&T Committee and City Council

#342-21

#342-21

Make 14 **or 15** stop signs official, and add them into the TPR

By **INSERTING** into the provisions of Sec. TPR-147. Obedience to isolated stop signs,. the following:

Howe Road, westbound.

Marcellus Drive, eastbound.

Whittlesey Road, westbound.

Melina Road, westbound.

Howley Avenue, eastbound.

Parker Terrace, westbound.

Roosevelt Road, westbound.

Parker Road, eastbound (?)

Truman Road, eastbound.

Kendall Road, eastbound.

Parker Avenue, eastbound.

Stearns Street, eastbound.

Walter Street, westbound.

Browning Road, eastbound.

Ridge Avenue, westbound.

Vote “DENY” to uphold the Traffic Council vote

- Adds all 15 stop signs, as docketed

Vote “APPROVE” to approve the appeal

- Does not add ANY of the 15 stop signs
(staff will remove the 14 installed signs)

Vote “APPROVE AS AMENDED” to approve the appeal, but to add some of the 15 stop signs into the TPR, and to maintain them in the field

- City Council needs to specify which stop signs, if any, are to be inserted into the TPR

<<< By editing the language shown on the left

Post list chart citations 10/06/21 Chief Carmichael

#138-21

#272-21

#248-21

POLICY/ORDER	Requirement	Citation	Completed
Use of Force/Reporting	Define Deadly Force	M.G.L. ch.6E	
Use of Force/Reporting	Define Serious Bodily Injury	M.G.L. ch.6E	
Use of Force/Reporting	Ban Choke Holds	M.G.L. ch.6E	
Use of Force/Reporting	Define Officer Involved Injury/Death	M.G.L. ch.6E	
Use of Force/Reporting	De-Escalation Tactics (Attempt & Fail)	M.G.L. ch.6E	
Use of Force/Reporting	De-Escalation Tactics (Methods)	M.G.L. ch.6E	
Use of Force/Reporting	Shooting at/from motor vehicle(s)	M.G.L. ch.6E	
Use of Force/Reporting	Duty to Intervene	M.G.L. ch.6E Comm. V Adams	
Use of Force/Reporting	Duty to terminate force		
Use of Force/Reporting	Use of Force Demonstration Restrictions	M.G.L. ch.6E	
Use of Force/Reporting	Report Excessive Force	M.G.L. ch.6E	
Use of Force/Reporting	UOF Protection from Harassment	M.G.L. ch.6E	
Search & Seizure	No Knock Search Warrants	M.G.L. ch.6E	
Non-Bias Policing	Define Bias Free Policing	M.G.L. ch.6E	
Racial Profiling	Statutory Requirements - Define Profiling	M.G.L. ch.6E	
Internal Affairs	Reporting Requirements to POST/DPS	M.G.L. ch.6E	
Falsify Pay Slips	Statutory Requirements Law – False Slips	M.G.L. ch.6E	
School Resource Officer	Training, Certification, MOU	M.G.L. ch.6E	
Training (In-Service)	In-Service Training Requirements (POST Oversight)	M.G.L. ch.6E	
All Hazards	Use of Force Demonstration Restrictions	M.G.L. ch.6E	
Vice, Drugs, Org. Crime	Ban Facial Recognition	M.G.L. ch.6E	
Personnel Hiring	Hiring Standards	M.G.L. ch.6E	

Primary Post Standards

C. 6E § (3): Powers of POST Commission

- School Resource Officer (SRO) Certification
- SRO Certification via Section 109

C. 6E § (4): Division of Police Certification (“DPC”)

- DPC + MPTC = (9) Certification Standards
- Disqualifications of LE Officer Certifications
- Certification Expiration: Three (3) Years
- DPC + DPS - Electronic Database
- Public Available Database

C. 6E § (5): Certification of Law Enforcement Agencies

- Minimum of Eight (8) Critical Policy Areas
- Mass. Police Accreditation Commission
- Crosswalk Illustration of MPAC & POST

C. 6E § (8): Division of Police Standards (“DPS”)

- Misconduct Investigations
- Complaints to DPS w/2 Days
- Completed Investigations to DPS
- Dispositions of Complaints to DPS
- Mandatory Inquires by DPS
- Discretionary Inquiries by DPS
- Mandatory Notifications w/30 Days
- Discretionary Audits by DPS
- DPS Complaint-based Database
- DPS to Monitor Database for “Patterns”
- DPS shall be a LE Agency w/powers

C. 6E § (9): Suspension of LE Officers Certification

- Mandatory Suspensions by POST
- Discretionary Suspensions by POST
- Administrative Suspensions
- Hearing of Suspended LE Officer w/15 Days

C. 6E § (10): Revocation of LE Officer’s Certification

- Mandatory Revocation (16 violations)
- Discretionary Revocations (5 violations)
- Retraining Order by POST (9 violations)
- Mandatory Notification by POST
- POST Hearing Protocol 07/01/21 46
- Revocation Info to National Index 07/01/21 47

Primary Post Standards

- LE Agency must complete IA w/ 1 year 07/01/21 47
- POST Hearing will commence after IA 07/01/21 47

C. 6E § (12): Cooperating w/POST – No Adverse Action

C. 6E § (13): Publicly Available POST Website

C. 6E § (14): Use of Force: Subsections (b)-(e)

- (a) Physical Force – De-escalation
- (b) Deadly Force
- (c) Chokeholds Prohibited
- (d) Discharge at Moving Motor Vehicle
- (e) Planned Mass Demonstrations

C. 6E § (15): Duty to Intervene / Duty to Report

- (a) Duty to Intervene
- (b) Duty to Report in Writing
- (c) Mandatory Policy for Reporting Abuse
- (d) POST + MPTC establish CMRs on Force

C. 6E § (16): Annual Report: De-certifications

- All Officer Involved Deaths/Injuries
- All Decertified LE Officers
- All Suspensions of LE Officers
- All Retraining Orders
- Total number of Injuries/Deaths of Officers

Miscellaneous POST Topics

- No Civil Service Jurisdiction on POST Decisions
- No Reinstatement by Civil Service contrary to POST Decision
- Disqualification to Serve as a LE Officer
- Nondisclosure Agreements: Requested by Complainant ONLY
- Submission of False Time Sheets by LE: Decertification
- Submission of Disciplinary Records to POST
- LE Officer Certifications by Powers (Waivers, Exemptions)
- POST Guidance on De-escalation to Minors

1. Use of Force Policy

- Define Deadly Force
- Define Serious Bodily Injury
- Ban Choke-holds
- Officer Involved Injury or Death
- De-Escalation Tactics
- Shooting at or from Moving Motor Vehicles
- Use of Force at Demonstrations
- Duty to Intervene in Excessive Force
- Officer Reporting Excessive Force Protection from Harassment

2. Search & Seizure Policy

Policy addresses **No Knock Search Warrants** and statutory requirements for applying for No Knocks and dispensing from No Knock Requirements.

3. Non-Bias Policing Policy

Policy amended to include statutory requirements and definition of bias free policing.

4. Racial Profiling Policy

Policy to include statutory requirements and definition of racial profiling.

5. Internal Affairs Policy

Policy for IA and reporting requirements.

6. Falsifying Pay Slips

Policy and General Order amended to fulfill statutory requirements and new law regarding falsifying pay slips.

7. School Resource Officer

Policy - In accordance with Chapter 253 of the Acts of 2020. POST certification, training and MOU procedures added.

8. Training

In accordance with Chapter 253 of the Acts of 2020. Add that POST oversees in-service and can suspend for not going.

9. Use of Force Reporting

In accordance with Chapter 253 of the Acts of 2020.
De-escalation tactics must be in report.

In accordance with Chapter 253 of the Acts of 2020.
Duty to intervene added.

Internal Affairs

In accordance with Chapter 253 of the Acts of 2020. POST certification and complaint investigation procedures added.

All Hazards Plan

In accordance with Chapter 253 of the Acts of 2020.
Use of Force at demonstrations procedures added.

Vice, Drugs and Organized Crime

In accordance with Chapter 253 of the Acts of 2020.
Facial recognition technology is prohibited.

Personnel Hiring

Post Hiring Standards (Guidelines)

Use of Force

Searches and Seizures

Racial Profiling

Non-biased Policing

In accordance with Chapter 253 of the Acts of 2020.

Details and Overtime

In accordance with Chapter 253 of the Acts of 2020.

MGL c. 6E § (5): Certification of Law Enforcement Agencies (8) Critical Policies

Section 5: [Certification of Law Enforcement Agencies]

(a) All law enforcement agencies shall be certified by the POST Commission.

(b) The Division of Police Certification in consultation with the municipal Police training committee established in section 116 of chapter 6, and subject to the approval of the POST Commission, shall establish minimum certification standards for all law enforcement agencies that shall include, but shall not be limited to, the establishment and implementation of agency policies regarding:

(i) use of force and reporting of use of force;

(ii) officer code of conduct;

(iii) officer response procedures;

(iv) criminal investigation procedures;

(v) juvenile operations;

(vi) internal affairs and officer complaint investigation procedures;

(vii) detainee transportation; and

(viii) collection and preservation of evidence.

(c) An agency shall remain in compliance with the requirements of this chapter and all rules and regulations promulgated by the Commission.



Commonwealth of Massachusetts

Peace Officers Standards & Training Commission



POST Executive Director
(Selected by POST)
Non-LE Officer

POST Commission Membership

G.L Chapter 6E

Appointments Effective 4/1/21

9 Members (3 Guv, 3 AG, 3 Joint)

Guv: Police Chief

Guv: (Retired) Superior Court Justice

Guv: Social Worker

AG: LE Policy Group Chair

AG: LEO (MAMLEO)

AG: Attorney (Civil Rights/Social Justice)

Guv / AG: MCAD Appointee

Guv / AG: Non-LE Appointee

Guv / AG: Non-LE Appointee

Note: Chair is chosen by Guv / Term = 5 years
Quorum = 7 / Meet Monthly / Broad Powers ALL LE
Agencies: > "Certified" by POST

**Executive Office Of
Public Safety/Security**

MPTC

15 Total Members

- 4 Regional Chiefs
- 1 MCOPA Chief
- Transit
- BPD;MSP
- AG;EOPSS
- MPA
- 2 County Sheriffs
- MAWLE
- MAMLEO

Certification Director

**Law Enforcement
Agency:**

Local, County, State,
Environmental,
UMass,MassPort, Transit,
Sheriffs, Public/Private
College/University,
Hospital Police

Division of Police Standards

Investigate Misconduct

- Maintain Complaint Database
- May Conduct audit of IA Files
- Shall be a Law Enforcement Agency

Division of Police Certification

DPC+MPTC = minimum

Certification standards for ALL LE
Officers

DPC>Maintain Database for all LE

DPC+MPTC+Post = LE Agency
Certification Standards