

HOUSE No. 3810

The Commonwealth of Massachusetts

PRESENTED BY:

Paul F. Tucker and Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to police education and training.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>1/18/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/18/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/22/2019</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>1/31/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/31/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/1/2019</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/1/2019</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/1/2019</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/1/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/1/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2019</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/1/2019</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/1/2019</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/1/2019</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>2/1/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/1/2019</i>

HOUSE No. 3810

By Representative Tucker of Salem and Senator Moore, a joint petition (accompanied by bill, House, No. 3810) of Paul F. Tucker, Michael O. Moore and others relative to police education and training. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to police education and training.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section
2 116C the following section:-

3 Section 116C½. In addition to the requirements set forth in section 116, in order for a
4 person to qualify for an appointment to a position on a full-time basis in which they will exercise
5 police powers in the commonwealth, said person shall have attained an associate degree from an
6 accredited educational institution in criminal justice or a related field of study, or a field of study
7 approved by the hiring department, office or institution; or shall have matriculated into an
8 established program at a 4-year accredited institution of higher education and have completed 60
9 or more credits towards a baccalaureate degree in criminal justice or a related field of study, or a
10 field of study approved by the hiring department.

11 Notwithstanding this section and section 96B of chapter 41, in the case of a municipal
12 police department that employs fewer than 5 full-time police officers, in order to qualify for

13 appointment as a police officer, such person may be assigned to and satisfactorily complete a
14 police academy training as designated by the municipal police training committee or receive a
15 waiver of such training pursuant to regulations promulgated by said committee. Nothing in this
16 paragraph shall limit such municipal police department from providing for additional
17 qualifications for appointment.

18 SECTION 2. Chapter 6A of the General Laws, as so appearing, is hereby amended by
19 inserting after section 18¾ the following section:-

20 Section 18 7/8. (a) The executive office of public safety and security shall include an
21 office of recruitment of diversity and equal opportunity for municipal police officers, hereinafter
22 referred to as the office, which shall be headed by a director who shall be selected by and serve
23 at the pleasure of the governor. The director shall have the authority to:

24 (i) Establish guidelines for agency affirmative action and diversity plans for
25 municipalities to recruit diverse candidates for municipal police departments;

26 (ii) Review all such plans and either approve, return for amendment, or reject them;

27 (iii) Establish periodic reporting requirements for municipalities concerning the
28 implementation of their plans and all actions taken to ensure compliance with this section and
29 applicable state and federal laws;

30 (iv) Provide assistance to cities and towns in achieving compliance with their plans and
31 with applicable federal and state laws; and

32 (v) Monitor and assess the status of municipal compliance and investigate instances of
33 non-compliance.

34 (b) Each city or town with a municipal police department shall appoint a diversity officer.
35 Diversity officers shall have a direct reporting relationship to the chief executive officer of the
36 municipality. The officers shall also report to the secretary of public safety pursuant to section 23
37 of chapter 23C. Diversity officers shall coordinate their municipality's compliance with the
38 requirements of this section and applicable federal and state laws.

39 (c) All cities and towns shall develop and implement affirmative action and diversity
40 plans to: (i) identify and eliminate discriminatory barriers in their municipal police department;
41 (ii) remedy the effects of past discriminatory practices; (iii) identify, recruit, hire, develop,
42 promote, and retain employees who are members of under-represented groups; and (iv) ensure
43 diversity and equal opportunity in all facets, terms, and conditions of employment for police
44 officers. Such plans shall set forth specific goals and timetables for achievement, shall comply
45 with all applicable state and federal laws, and shall be updated, at a minimum, every 2 years.

46 (d) Through the diversity officers, and in compliance with the reporting guidelines and
47 requirements established by the office, all municipalities shall submit periodic reports to the
48 director of the office concerning the status and implementation of their affirmative action and
49 diversity plans.

50 (e) Pursuant to guidelines established by the office, all municipal police department
51 chiefs, managers, supervisors and employees shall attend mandatory annual diversity training.
52 For future hires, such training shall be part of the standardized orientation provided to new
53 employees.

54 (f) The office shall promulgate guidelines establishing a complaint resolution process for
55 individuals who allege non-compliance by cities and towns with applicable federal and state laws

56 prohibiting discrimination. In instances where this process does not resolve the complaint, the
57 director of the office may refer to the Massachusetts commission against discrimination or any
58 information concerning conduct that the director believes may constitute a violation of the law.

59 (g) The Massachusetts commission against discrimination shall initiate investigations
60 and, where necessary; file complaints against those agencies and persons whom it has reason to
61 believe are in violation of the laws of the commonwealth or the United States.

62 (h) In performing their responsibilities under this section, the office and the
63 Massachusetts commission against discrimination shall have the full cooperation of all state
64 agencies and municipalities, including compliance with all requests for information.

65 (i) The police officer diversity and equal opportunity advisory council, hereinafter the
66 advisory council, is hereby established to advise the office concerning best policies, practices,
67 and specific actions that the commonwealth and its municipalities should implement to ensure
68 that the objectives of this section are accomplished.

69 The advisory council shall consist of 15 persons, including a chair, each of whom shall be
70 appointed by the governor. All members shall serve without compensation at the pleasure of the
71 governor in a solely advisory capacity. The advisory council's work shall include, but need not
72 be limited to, making written recommendations to office concerning actions, policies, and
73 practices that the commonwealth and its municipalities should implement to ensure that the
74 objectives of this section are accomplished.

75 The advisory council shall meet at such times and places as determined by the chair and
76 shall submit an initial report containing its written recommendations to the governor no later than
77 60 days following the appointment of the council's 15 members. Thereafter, the advisory council

78 shall meet at least semi-annually and submit supplemental reports to the governor no less than
79 once per year.

80 (j) Nothing in this section shall be construed to preclude or otherwise limit the
81 continuation or implementation of any lawful affirmative action programs or other programs that
82 support the objectives of this section.

83 SECTION 3. Section 108L of chapter 41 of the General Laws, as appearing in the 2016
84 Official Edition, is hereby amended by inserting after the word “experience”, in line 77, the
85 following words:- ; provided, however, that the board may certify a program granting credits for
86 prior learning experiences in the military or police academy training provided that a regionally
87 accredited institution has granted such credits based on the institution’s evaluation of the
88 person’s knowledge and skills.

89 SECTION 4. (a) There is hereby established a working group under the supervision of
90 the commissioner of higher education. The working group shall consist of persons appointed by
91 the commissioner, which shall include, but shall not be limited to: criminal justice faculty from
92 public community colleges, state colleges and the University of Massachusetts; representatives
93 from private colleges; and staff from the municipal police training committee.

94 (b) The working group shall advance collaborations with higher education colleagues and
95 police academy colleagues to develop an assessment policy and related process for evaluating
96 the knowledge and skills learned within police academies that crosswalk to content knowledge in
97 credit-bearing programs and are consistent with an updated version of the board of higher
98 education’s Guidelines for Criminal Justice and Law Enforcement Academic Programs Seeking
99 Approval Under the Massachusetts PCIPP Guidelines. The working group shall review the

100 municipal police training committee's approved police academy curriculum and determine
101 allowable credit for a statewide articulation agreement consistent with revisions to the Policy
102 Career Incentive Pay Program, or PCIPP, Guidelines.

103 (c) In determining allowable credit for prior learning experiences in the police academy
104 in a statewide articulation agreement, the working group shall utilize the approach to transfer and
105 articulation of credits applied by the Mass Transfer Pathways A2B initiative: faculty with
106 content expertise shall compare the alignment of learning outcomes achieved in police academy
107 coursework and higher education criminal justice program coursework, and determine the
108 appropriate amount of allocation of college credits that have been earned. The working group
109 shall research and determine whether the standard in the PCIPP Guidelines providing that no
110 more than 10 per cent of an associate or baccalaureate degree is completed through knowledge-
111 based examinations should still be applicable, or whether a new proportion for knowledge-based
112 examinations should be applied.

113 (d) Colleges and universities providing credit for prior learning experiences achieved
114 through police academy training under a statewide articulation agreement shall work with the
115 municipal police training committee to ensure that police academy directors and instructors meet
116 all New England Association of Schools and Colleges Standards for accreditation purposes.

117 SECTION 5. Section 116C½ of chapter 6 of the General Laws, added by section 1 of this
118 act, shall apply to persons appointed to full-time positions exercising police powers in the
119 commonwealth after the effective date of this act.

120 SECTION 6. This act shall take effect on January 1, 2021.