



Massachusetts Chiefs of Police Association

Legislative Agenda - 2018 Update #2

Chief Steven J. Wojnar, President - MCOPA

Chief Mark K. Leahy (Ret.), Executive Director - MCOPA

Chief Brian Kyes, Chair - MCOPA Legislative Committee

NUMBER (1):

AMENDMENT #7 TO SB2481, AS AMENDED (SUPPLEMENTAL BUDGET)

STATUS: PASSED 33-0 IN SENATE ON APRIL 26, 2018

We strongly urge every Legislator to push House and Senate Leadership to support the rental car assessment language the Senate included in the Supplemental budget (SB2481, as amended). Cyr amendment as adopted is below. The actual vote was unanimous and the amendment was SUPPORTED by 33 Senators and Leadership.

Municipal Police Training Fund

Messrs. Cyr and Feeney, Ms. Gobi, Messrs. Rodrigues, Rush, Brady, Keenan, Eldridge, O'Connor, Ross and Timilty, Ms. O'Connor Ives, Ms. Friedman, Messrs. deMacedo, Crighton, Barrett, Moore and Lewis, Ms. Chang-Diaz, Messrs. Montigny and Brownsberger, Ms. L'Italien, Messrs. Humason, Fattman, Lesser, Tran, Pacheco, DiDomenico, Hinds and Boncore, Ms. Jehlen, Messrs. Rosenberg and Welch move to amend the bill the bill by inserting after section 3 the following 2 sections:-

"SECTION 3A. Section 35EEE of said chapter 10, inserted by section 14 of chapter 69 of the acts of 2018, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) The fund shall consist of: (i) funds transferred from the Marijuana Regulation Fund established in section 14 of chapter 94G; (ii) revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (iii) interest earned on money in the fund; (iv) funds from private sources including, but not limited to, gifts, grants and donations received by the commonwealth that are specifically designated to be credited to the fund; and (v) revenues, up to \$10,000,000 in a calendar year, collected from the surcharge imposed by section 32E5/8 of chapter 90. Amounts credited to the fund shall not be subject to further appropriation and any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund. The secretary shall annually report the activity of the fund to the clerks of the senate and house of representatives and the senate and house committees on ways and means not later than December 31.

SECTION 3B. Said section 35EEE of said chapter 10, as so inserted, is hereby further amended by adding the following subsection:-

(d) The executive office of public safety and security shall: (i) estimate the full cost of operating the municipal police training committee; (ii) estimate how much revenue will be generated from the police training surcharge; and (iii) identify any additional funding necessary to fully fund the operations of the municipal police training committee. The executive office of public safety and security shall annually submit a report of its findings to the governor and the senate and house committees on ways and means not later than December 1.”; and by inserting after section 15 the following section:-

“SECTION 15A. Chapter 90 of the General Laws is hereby amended by inserting after section 32E¾ the following section:-

Section 32E5/8. (a) There shall be a police training surcharge of \$2 imposed upon each vehicular rental transaction contract in the commonwealth. The surcharge shall be in accordance with section 32E ¾ and shall be deposited in the Municipal Police Training Fund established in section 35EEE of chapter 10; provided, however, that not more than \$10,000,000 collected from the surcharge in a calendar year shall be deposited into the fund; and provided further, that any amount collected from the surcharge above \$10,000,000 in a calendar year shall be deposited into the General Fund. The surcharge shall not apply to transportation network companies or to rental periods of less than 12 hours that are charged on an hourly basis.”; and by adding the following section:-

“SECTION 38. Sections 3A and 15A shall take on January 1, 2019.”

This amendment creates a reliable and dedicated funding source for municipal police training across the Commonwealth, similar to that of municipal firefighters, by imposing a **nominal \$2 surcharge** on all rented vehicles and depositing it into a dedicated fund.

The Municipal Police training fund is comprised of amounts received from the \$2 rental vehicle surcharge. **Surcharge applies to all vehicle rentals and remains at \$2 regardless of length of contract.**

The \$2 rental contract surcharge is **expected to generate at least \$ 7.3M on an annual basis based on the following assumptions:**

(The MPTC FY18 budget is \$4,837,750, with 68% from the General Fund and 32% from the Public Safety Training Fund. Ironically, the \$2,860,000 for the State Police class is 100% funded from the Public Safety Training Fund! [Line item 8100-0515.. For the expenses of hiring, equipping and training state police recruits to maintain the strength of the state police.. \$2,860,000. Public Safety Training Fund..... 100%]

- According to the RMV there are approximately 70,000 rental cars registered in the Commonwealth. We believe that there are actually more rental vehicles than the 70k – including trucks in the Commonwealth. The RMV could not give us an “exact” number.
- Assumption: Each rental vehicle is rented once a week (regardless on length of rental) for 52 weeks.

- **70,000 rental vehicles x \$2 MPTC Fee x 52 weeks = 7.2 million dollars**
- Current MPTC funding as proposed in the Committee budget (items 8200-0200 and 8200-0222) is \$6.6M and only just funds the minimum 40-hour in-service training.
- The Current proposed MPTC funding structure costs municipalities \$1.8 in own-source funds to pay for recruit training.

A dedicated and expanded funding stream, as proposed by this amendment will allow the MPTC to provide the following critical services and expanded training:

- First Aid/CPR in-service training
- Local option in-service training
- More sessions of first-line supervision training
- Field Training Officer (FTO)
- Detective basic training
- More sexual assault investigator training
- Instructor development training
- LEEDA (*FBI Law Enforcement Executive Development*) First-line supervision leadership training
- LEEDA command staff leadership training
- LEEDA executive leadership training
- School Resource Officer (SRO) training
- RAD Kids training
- Endicott/MPTC Chiefs of Police Command College
- Instructor trainer courses: Firearms; Defensive Tactics; First Aid/CPR; Health and Wellness
- Chiefs of Police training conference
- Fair and impartial policing, procedural justice, implicit bias
- Missing and abducted children Investigations

The above programs are necessary training opportunities. The long-term goals/visions for the MPTC is to create a tiered training regimen for a variety of special assignments, such as:

- First-line supervisor
- Mid-management
- School Resource Officer
- Detectives
- Canine units
- Crime analysts
- Electronic data gathering
- Juvenile officers

The LEEDA training is the only structured, tiered approach to training that we currently have. The MPTC also needs to make long overdue structural and infrastructure improvements, including the ability to create more distance learning programs and investing in more software and hardware (state-of-the-art computer, projection, and sound systems to enhance the instructor's ability to present the material in a meaningful way) that support the delivery of training.

Lastly, when fully implemented, the Municipal Police Training Fund will provide ample funding to reduce or altogether eliminate the costs municipalities currently incur for recruit training, effectively provided additional local aid across to every city and town.

NUMBER (2): SB1405 -- AN ACT RELATIVE TO DISABILITY PENSIONS FOR VIOLENT CRIMES

Status: 01/17/18 - S - Reported favorably by Joint Committee on Public Service

01/18/18 - S - Referred to Senate Committee on Ways & Means

SPONSOR: (LATE) SENATOR KEN DONNELLY

SUMMARY: Any member in service classified in Group 3 (MSP) or Group 4 (e.g., Police, Fire) who is deemed to be unable to perform the essential duties and responsibilities of his/her job and that such inability is deemed to be permanent in nature by reason of a serious personal bodily injury sustained as a direct and proximate result of violent attack upon their person by means of a dangerous weapon including but not limited to a firearm, knife, automobile, explosive device, or other dangerous weapon and while in the performance of, his/her duties shall be deemed retired for an accidental disability and shall be entitled to a yearly amount of a pension, payable each and every month, **equal to one hundred (100%) percent of their regular compensation,** including all applicable benefits and stipends, that the member was earning on the date that such serious bodily injury was sustained. In addition, such member who shall become permanently disabled under this provision shall be entitled to any and all periodic pay increases, including all applicable benefits and stipends that he/she would have been entitled to by way of their respective collective bargaining agreement should they have been continually employed with the department but for sustaining the permanent disabling injury in the course of their employment. In the event that the member shall predecease their spouse, the member's spouse shall be entitled to seventy-five (75%) percent of the annual pension, paid monthly, as long as such spouse shall live including all aforementioned annual increases. Nothing in this provision or any other section of the general laws or regulations shall limit the member's aforementioned retirement benefit and/or restrict the member from seeking accommodating employment by any entity or agency which is not classified under Groups 1-4 of the retirement system.

(THIS WOULD PROVIDE A 100% BENEFIT, VERSUS THE CURRENT 72% DISABILITY RETIREMENT BENEFIT. TYPICALLY, ONLY ONE SUCH INJURY OCCURS PER YEAR. EXAMPLES OF SUCH INJURIES ARE DET. MARIO OLIVERA OF SOMERVILLE; OFF. BOB DeNAPOLI OF WOBURN; AND MBTA TRANSIT POLICE OFFICER DIC DONAHUE- ALL OF WHOM WERE SHOT WHILE ON-DUTY AND PERMANENTLY DISABLED AS A RESULT.)