

Massachusetts Police Chief

The Voice of the Massachusetts Chiefs of Police Association



In Unity There is Strength

September Edition 2026

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The MCOPA is an association, comprised of nearly 400 municipal and campus law enforcement executives from all across the Commonwealth of Massachusetts. Working together, in the interest of continuing to improve the law enforcement profession, the MCOPA has been able to accomplish great things. The MCOPA remains very active in collaboration efforts with other law enforcement associations and agencies, in the Massachusetts Legislature, and in the appellate state and federal courts on issues affecting law enforcement.

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PRESIDENT'S MESSAGE

Welcome to this month's edition of the Massachusetts Chiefs of Police Association Newsletter. I want to take this time to follow up on the recent statement released by our Executive Director Mike Bradley. There is a growing debate across Massachusetts about Automated License Plate Readers (ALPRs) and companies such as Flock Safety. Unfortunately, too much of that debate has become political, emotional and disconnected from how this technology is used by our officers and it's time for all chiefs to speak with one voice.

We are responsible for protecting the communities we serve. We are the ones who answer the phone when a child goes missing, when a vehicle is stolen, when an armed robbery occurs, when a hit-and-run causes a fatality or when our detectives are working around the clock to ID a vehicle connected to a serious crime. We owe all victims every reasonable investigative tool available to us and ALPR technology is one such tool.

Using a license plate reader does not mean officers are following people. It does not mean officers know who is inside a vehicle. It does not automatically create probable cause, and it certainly does not replace good old fashion police work. It provides our officers and detectives with information that may help establish a timeline, identify a vehicle, locate a stolen automobile or generate a lead that helps solve a crime and that distinction matters.



Chief Shane D. Woodson
Southbridge Police Department



We absolutely recognize legitimate concerns regarding privacy and government technology. We as chiefs are not asking for unlimited access or unlimited surveillance. We support appropriate guardrails, written policies, restricted access, auditing, training, accountability, data-security requirements and reasonable limitations on retention and use. What we do not support is the suggestion that responsible police departments should not utilize legitimate investigative tools simply because the technology has become politically controversial. Our officers should not have one hand tied behind their backs because elected officials or activists have decided that a particular technology makes for a convenient political argument. We should be able to have a mature conversation about both sides of this issue.

If there are legitimate concerns about how ALPR technology is used, address them through policy. If there are concerns about data retention, establish reasonable retention standards. If there are concerns about unauthorized searches, audit access and hold people accountable. If there are concerns about transparency, require transparency. But do not tell chiefs that we cannot use technology simply because someone is uncomfortable with its existence. This is happening in my community right now and is frustrating to say the least.

Respectfully,

Chief Shane D. Woodson
President MCOPA 2026



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Executive Director's Report

Chief Michael J. Bradley, Jr. (Ret.)

ALPR TECHNOLOGY: BALANCING PUBLIC SAFETY AND PUBLIC TRUST

Automated License Plate Reader technology has become an important part of modern policing. Across Massachusetts, departments are using ALPR systems to locate stolen vehicles, identify vehicles associated with serious crimes, develop investigative leads, and assist in locating missing and endangered people.

We have seen firsthand how quickly this technology can provide information that might otherwise take officers or investigators hours to develop. In some cases, those minutes and hours matter.

As the use of ALPR technology grows, however, so does the responsibility that comes with it. If we want to maintain public confidence in these systems and preserve them as an effective law enforcement tool, chiefs need to make sure appropriate safeguards are in place.

That starts with policy.

Departments should have clear rules governing who can access ALPR systems, what constitutes an appropriate search, how information is retained and shared, and what documentation is required when the system is used. These decisions should be made by the department and not simply left to a vendor's default settings.

The same applies to retention periods and information sharing. Chiefs should understand how long their ALPR data is retained, which agencies have access to it, what information is being shared, and what controls are available within the system. Vendor contracts also deserve careful review. We need to understand where our information is stored, who has access to it, how it can be used, and what happens to the data when the contractual relationship ends.

Perhaps most important is auditing.

Most chiefs are already familiar with managing access to sensitive law enforcement databases. ALPR systems should be approached with the same level of oversight.

Departments should be able to determine who conducted a search, when it occurred, what was searched, and the law enforcement purpose behind it. Whenever practical, searches should be associated with a case number, incident number, or other documented investigative purpose.

But having an audit function is not enough. Someone within the department needs to review it.

Regular supervisory audits are one of the best ways to identify inappropriate activity, reinforce expectations with employees, and

demonstrate that a department takes its responsibilities seriously. Auditing should not be viewed as a response to allegations of misuse. It should be a routine part of administering the system.

That is also where public confidence comes into play. When questions are raised about ALPR technology, chiefs should be able to explain not only that a policy exists, but that the department actively checks to make sure the policy is being followed.

MCOPA General Counsel Eric Atstupenas and Attorney Jack Collins have spent considerable time working through these issues and developing a combined advisory to assist Massachusetts police chiefs. Their work brings together the legal, policy, contractual, and operational considerations surrounding ALPR use and gives departments practical guidance as they develop or review their own programs.

That work is important because ALPR is not simply a technology issue. Chiefs need to consider policy, public records, discovery, retention, vendor contracts, information sharing, employee access, auditing, and community expectations. Those issues are best addressed before a problem occurs.

We should also be willing to talk openly with our communities about how this technology is being used. That does not mean disclosing sensitive investigative information or compromising police operations. It means being able to explain why we use ALPRs, what safeguards are in place, how long information is retained, who has access to the system, and how we ensure that searches are conducted for legitimate law enforcement purposes.

There will continue to be debate about ALPR technology, particularly as technology and data-sharing capabilities evolve. That makes it even more important for law enforcement to lead on these issues.

ALPRs are an effective investigative and public safety tool, and we should not be reluctant to say so. At the same time, supporting this technology means accepting the responsibility to govern it properly. Strong policies, meaningful audits, careful vendor oversight, and reasonable transparency are not obstacles to effective policing. They are what will allow us to maintain public confidence and continue using this technology effectively in the years ahead.

– In Unity There is Strength

Faternally yours,
Chief Michael J. Bradley, Jr. (Ret.)
Executive Director



Strengthening Our Voice: Support the MCOPA PAC

How You Can Help:

We are asking members to consider making a voluntary contribution of up to \$50 per year. You can donate quickly using the Venmo QR code (Please include your home address in the Venmo note field) **OR** by mailing a check payable to: MCOPA Political Action Committee, 353 Providence Road, South Grafton, MA 01560. Important Compliance Reminder: All contributions must be made from personal funds only. Agency funds or resources may not be used.



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Chief Chats

The Monthly Recap / July

The headline: the MPTC voted unanimously to approve our Annual Leadership Conference for mandated in-service credit. The program covers six TY2027 topics, credit is earned topic by topic based on what you attend, and it runs against the July 1, 2026 through June 30, 2027 cycle. If you attend all three days in Norwood in September, you complete all six. Registration is open through the office, and this is a good month to get your command staff on the calendar.

Also in this episode:

Two new member resources. Guidelines for working with a select board or council liaison, including sample forms and the Open Meeting Law and direct dealing traps that catch departments off guard. And the model policy on pregnancy, accommodation, and lactation, developed by the Women's Leadership Committee with the General Counsel's office, which we previewed in June.

POST rulemaking. Proposed amendments to 555 CMR 1.01 are out for comment. The provision to read closely is the definition of reportable conduct and how far down it reaches. Departments with broad catch-all provisions in their own rules are affected most. Please comment, and send your observations to the office.

Civilian traffic control personnel and marked cruisers. Picking up where June's discussion of retired officers on details left off. What 700 CMR 6.00 does and does not cover, why appointing civilians as special officers does not solve the problem, and what the chief controls under c. 41, section 97A.

Legislative update. Where our positions landed on the amendments to the Senate Economic Development Bill, S.3178, and what happens now that it moves to conference committee.

Jimmy Fund recap and Association news. Thank you to everyone who supported the 35th Annual MCOPA Foundation Jimmy Fund Golf Tournament. Awards Program nominations close August 15.

In Unity there is Strength. Stay informed, and stay connected.



Chief Chats

The Monthly Recap / August

This month's discussion includes:

The PROTECT Act (Chapter 163): Key implementation dates, operational requirements, policy considerations, and what departments should be doing now to prepare for the new law.

Automated License Plate Reader (ALPR) Technology: An update on MCOPA's advocacy, and practical guidance on policy, data retention, access controls, auditing, data ownership, inter-agency sharing, and community transparency. **MCOPA's ALPR Toolkit:** Resources designed to help chiefs prepare for public discussions, develop appropriate policies, establish governance safeguards, and work with municipal officials and counsel.

2026 MCOPA Training Conference: A preview of *Command Under Pressure: Decisions. Risk. Leadership.*, September 15–17 in Norwood, including MPTC-approved TY2027 in-service training, attendance and credit requirements, and how attendees will use Whova throughout the conference.

Association News: Updates on the Jimmy Fund Walk and the upcoming IACP Conference in Orlando, including the Massachusetts Chiefs reception and IACP elections.

Chief Chats is MCOPA's monthly opportunity to keep members informed about emerging legal issues, legislative developments, training opportunities, and Association initiatives impacting law enforcement leaders throughout Massachusetts.



Calendar of Events

Executive Board Meeting

September 14, 2026

Sheraton Four Points - Norwood

Annual Training Conference

September 15-17, 2026

Sheraton Four Points - Norwood

Jimmy Fund Walk - Team Police Chiefs

October 4, 2026

IACP Orlando

October 24-27, 2026

MCOPA IACP Hospitality

October 24, 2026



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Massachusetts Chiefs of Police Association

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Interim Chief Kyle Sweeney, Charlemon
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Chief Robert Stephanian, MassBay Community College
Acting Chief James Moore, Methuen
Chief Wendy LaPierre, Pembroke

Law Enforcement Associate

Captain Warren Hoppie, Boston
Detective Sergeant Connor McAnagh, Bourne
Captain Thomas Carlson, Burlington
Deputy Chief Sarah Harris, Chatham
Commander Nicholas Ziminsky, Chelmsford
Commander of Administration, Jason Poor, Chelmsford
Lieutenant Nicholas Fortunato, Millbury
Lieutenant Mathew McGrath, Millbury
Assistant Deputy Chief Scott Carola, New Bedford
Lieutenant Jason Burdett, Oxford
Lieutenant Patrick Waugh, Spencer
Deputy Chief Brian Becker, Walpole

Business Associate

Daniel Richard (Lt./Col. Retired), DGRichard Associates
Zac Harrington, Blue Line Solutions

Life - None

General Counsel's Corner

Attorney Eric Atstupenas



Searching for the Car Key: Commonwealth v. Dobson

The Supreme Judicial Court's decision in *Commonwealth v. Dobson*, SJC-13794 (July 17, 2026), reversed the denial of a motion to suppress a firearm and pills found in a locked glove compartment. The decision is the most operationally significant Massachusetts search-and-seizure case of the summer, and it turns on a statute that is more restrictive than the Fourth Amendment.

Legal Analysis

Boston officers stopped a vehicle for a window-tint violation. After seeing the passenger push toward the console or glove compartment, officers ordered the occupants out, frisked the driver, and patted the vehicle for weapons. Finding the glove compartment locked, an officer asked the driver for her key. She questioned why, put her hand in her pocket, and pulled away when the officer reached for it. A struggle followed, and she was arrested for assault and battery on a police officer. Officers then conducted increasingly intrusive searches for the key, including a search beneath her shirt over her bra after an instruction to “go as deep as you can go.” No key was found. After a canine alerted to the glove compartment, officers told her a warrant was coming, the car would be towed, and a keyless tow “usually does damage to the car anyway.” About three minutes after the final search, she produced the key.

The Court rejected the Commonwealth's new appellate argument that the final search was valid incident to arrest. G.L. c. 276, § 1 permits such a search only to seize evidence of the crime of arrest, prevent its destruction or concealment, or remove weapons the arrestee might use to resist or escape. The statute is more restrictive than the Fourth Amendment and excludes evidence obtained in violation of it. Because the arrest was for assault and battery on an officer, searches for the car key to open the glove compartment were investigatory and unrelated to the crime of arrest. *Commonwealth v. Blevines*, 438 Mass. 604 (2003). Purpose is assessed objectively from the record.

The Court also held that the Commonwealth failed to prove the key was surrendered by valid consent untainted by the unlawful searches. Temporal proximity weighed against attenuation because only about three minutes passed while officers kept pressing her. The canine alert and tow warning were intervening circumstances, but purpose and flagrancy weighed against attenuation because officers were searching for the key to open the glove compartment. The motion judge omitted that factor, and the Court emphasized that police misconduct's purpose and flagrancy matter when consent follows an unlawful search. A concurrence noted that body-worn camera footage objectively showed the searches shifting away from the statute's limited purposes.

Why This Matters to Chiefs

Three points matter in practice. First, G.L. c. 276, § 1, not federal law, controls searches incident to arrest in Massachusetts and is narrower: once an arrest is made, the search must relate to the offense of arrest or officer safety. Evidence of another suspected offense falls outside the statute and is excluded.

Second, search-incident authority remains a continuing condition. As a search escalates, officers must still be able to identify one of the statute's two permitted purposes.

Third, body-worn camera audio can establish the objective purpose of a search. Statements such as “we're looking for the keys to get into the glove box” and “go as deep as you can go” supported suppression. Departments should address this in report writing, supervisory review, and search training.

The consent holding is also important. When consent follows an unlawful search, the Commonwealth must prove attenuation, including purpose and flagrancy. Together with *Commonwealth v. Diaz*, 496 Mass. 210 (2025), *Dobson* makes that factor harder for the Commonwealth to overcome.

Key Takeaways

- *Dobson* is binding Massachusetts authority. G.L. c. 276, § 1 limits a search incident to arrest to evidence of the crime of arrest and to weapons usable to resist arrest or escape, and is more restrictive than the Fourth Amendment.
- Searching an arrestee for evidence of a different offense is outside the statute, and the statute itself excludes the resulting evidence.
- Statutory authority is a continuing condition. Escalating searches after an initial frisk yields no weapon require a fresh, articulable basis.
- Body-worn camera recordings of what officers say during a search can objectively establish the purpose of the search.
- Consent obtained after an unlawful search requires the Commonwealth to prove attenuation, including the purpose and flagrancy of the misconduct. See also *Commonwealth v. Diaz*, 496 Mass. 210 (2025).

First Circuit Upholds the Assault-Style Firearms Law: *Recchia v. Campbell*

In *Recchia v. Campbell*, No. 25-1817 (1st Cir. July 21, 2026), the First Circuit affirmed the dismissal of a facial challenge to the provisions of the 2024 Act Modernizing Firearm Laws that prohibit assault-style firearms and large capacity feeding devices. The decision is binding in Massachusetts and resolves, for now, the enforceability of the provisions departments encounter in licensing and charging decisions.

Legal Analysis

A Bellingham gun store owner brought a facial challenge to G.L. c. 140, §§ 121 and 131M under the Second Amendment, dormant Commerce Clause, and Equal Protection Clause. The Second Amendment claim was foreclosed by *Capen v. Campbell*, 134 F.4th 660 (1st Cir. 2025), which applied *Bruen* and upheld the assault-weapon ban as consistent with historical firearm regulation. The court also rejected any right to arms equivalent to modern military weapons, relying on *Heller*. The Commerce Clause claim failed because the law does not favor in-state manufacturers or substantially burden interstate commerce. Equal protection failed under rational-basis review because earning a living is not a fundamental right and states may regulate which firearms may be sold.

One important footnote: the Supreme Court granted certiorari on June 30, 2026, in consolidated cases on whether the Second and Fourteenth Amendments protect possession of AR-15 platform and similar semiautomatic rifles. That decision could unsettle the framework supporting *Capen* and *Recchia*.

Why This Matters to Chiefs

For now, the assault-style firearm and large capacity feeding device provisions of G.L. c. 140, §§ 121 and 131M are enforceable, and a facial Second Amendment challenge is foreclosed in this circuit. That matters for licensing decisions, for charging under § 131M, and for responding to inquiries from licensees and dealers. Chiefs should also note what the decision does not do: it resolves a narrow facial challenge, expressly declines to consider arguments not raised, and does not address as-applied claims. And because the Supreme Court has taken up the underlying question, this is an area to watch rather than to treat as settled. Members considering changes to licensing practice or policy in reliance on this decision may want to coordinate with municipal counsel.

Key Takeaways

- *Recchia* is binding First Circuit authority upholding G.L. c. 140, §§ 121 and 131M against a facial challenge.
- *Capen v. Campbell*, 134 F.4th 660 (1st Cir. 2025), controls the Second Amendment analysis under *Bruen*.
- The decision addresses a facial challenge only and does not reach as-applied claims or arguments not raised.
- The Supreme Court granted certiorari on June 30, 2026, in consolidated cases on AR-15 platform rifles. The framework may change.

The Read Buffer Zone Appeal Ends on Mootness: Grant v. Trial Court

In *Grant v. Trial Court of the Commonwealth*, No. 25-1555 (1st Cir. July 24, 2026), the First Circuit dismissed as moot the demonstrators' appeal from the partial denial of a preliminary injunction against the buffer zone order entered during the second Karen Read trial, vacated that portion of the district court's decision, and remanded with instructions to dismiss it. The procedural holding is narrow. The underlying record is what chiefs should read.

Legal Analysis

The buffer zone barred demonstrations within 200 feet of the courthouse and on certain nearby sidewalks and streets, and expired when the verdict entered. After an earlier appeal, the judge narrowed it to conduct intended to interfere with justice or influence a judge, juror, witness, or court officer, tracking G.L. c. 268, § 13A and *Cox v. Louisiana*, 379 U.S. 559 (1965). The First Circuit held the appeal moot because the order had expired and no relief would affect the parties' interests. The capable-of-repetition exception did not apply because the demonstrators could not show these same parties were reasonably likely to face another buffer zone without speculating about future trials and orders.

The district court's partial grant of relief was not appealed and remained undisturbed. It rested on findings of arrests or threatened arrests of people complying with the buffer zone orders, including a man peacefully filming the courthouse from across the street and a demonstrator with a flag and sign who was told nothing had changed after the mens rea requirement was added. The district court ordered that, before arresting anyone for protesting in the zone, officers must be able to articulate, without speculation, how the person violated the order.

Why This Matters to Chiefs

The appellate holding is about mootness and vacatur and creates no new First Amendment rule. The operational lesson sits in the record. Where a court order restricts expressive activity, the enforcement problem is not the existence of the order but the articulation required before an arrest. An order narrowed to intent-based conduct cannot be enforced as though it were a flat prohibition on presence, and officers told that "nothing has changed" after an order is amended are being set up to make arrests that will not hold. Departments policing high-profile proceedings may want to ensure that when an order is modified, the modification is communicated down to the officers on the line, and that supervisors can state the specific conduct supporting any arrest.

Two further points. The court noted that nothing in its decision prevents the demonstrators from seeking relief if another buffer zone issues, and it expressly left open the possibility of claims for past damages, which were not before it. Arrests made during such an order remain a potential source of individual and municipal exposure.

Key Takeaways

- Grant dismisses the appeal as moot and vacates the partial denial of the preliminary injunction. It announces no new First Amendment rule.
- The partial grant, based on findings of arrests and threatened arrests of compliant individuals, was not appealed and was not disturbed.
- Where a court order restricting expression is narrowed, the narrowing must reach the officers enforcing it.
- Officers should be able to articulate, without speculation, the specific conduct violating such an order before making an arrest. Damages claims were expressly left open.

Three Federal Search Decisions, and Where Massachusetts Diverges

Three summer decisions upheld searches under the Fourth Amendment. Two describe conduct Massachusetts law treats differently; the third is binding here. Together they illustrate the theme running through this issue: federal decisions set a floor, and art. 14 frequently sits above it.

Legal Analysis

Pole cameras. In *United States v. Kendrick*, No. 25-2067 (7th Cir. July 9, 2026), warrantless pole-camera surveillance of a commercial auto-repair lot was not a search because the lot had reduced privacy, visible gaps, and no recognized commercial curtilage. Massachusetts differs. *Commonwealth v. Mora*, 485 Mass. 360 (2020), and *Commonwealth v. Comenzo*, 489 Mass. 155 (2022), require a warrant for continuous, targeted home surveillance under art. 14. The SJC has not extended *Mora* to purely commercial premises, but art. 14 focuses on duration, targeting, and aggregation, not property type alone.

Marijuana odor and frisks. In *United States v. Carson*, No. 25-4200 (4th Cir. July 8, 2026), marijuana odor supplied reasonable suspicion and supported a passenger frisk under that circuit's drugs-and-guns rule, though a concurrence questioned that inference after legalization. Massachusetts has long diverged: marijuana odor alone supplies neither reasonable suspicion nor probable cause. *Commonwealth v. Cruz*, 459 Mass. 459 (2011); *Commonwealth v. Overmyer*, 469 Mass. 16 (2014); *Commonwealth v. Craan*, 469 Mass. 24 (2014). G.L. c. 94G weakens the premise further.

Peer-to-peer monitoring. In *United States v. Johnson*, No. 24-1467 (1st Cir. July 7, 2026), a Billerica investigation, the First Circuit held that users have no reasonable expectation of privacy in activity voluntarily shared on a public peer-to-peer file-sharing network in default mode. Law enforcement monitoring of that activity was not a search, and the court distinguished *Carpenter* and *Kyllo*. This decision is binding here.

Why This Matters to Chiefs

An officer who reads only the federal pole-camera or marijuana cases will overstate what Massachusetts permits. Prolonged, targeted pole-camera surveillance should proceed on a warrant, and marijuana odor should be treated as one factor requiring corroboration, never a sufficient basis for a frisk or search. *Johnson* cuts the other way and is directly usable in online investigations, with one caution: the SJC has afforded greater art. 14 protection than the Fourth Amendment for cell-site and real-time location data, and no SJC decision has yet addressed file-sharing networks.

Key Takeaways

- *Mora* requires a warrant for prolonged, targeted pole-camera surveillance of a home under art. 14.
- Marijuana odor alone supplies neither reasonable suspicion nor probable cause in Massachusetts.
- *United States v. Johnson* (1st Cir. 2026) is binding: monitoring activity on a public peer-to-peer network in default mode is not a search.
- *Kendrick* and *Carson* are out-of-circuit and describe federal floors that Massachusetts law exceeds.

Applying Case v. Montana to a Fatal Welfare Check: Crosby v. Colleton County

Last issue covered *Case v. Montana*, 607 U.S. ____, 146 S. Ct. 500 (2026), which set the emergency-aid standard at an objectively reasonable basis rather than probable cause. The Fourth Circuit has now applied it to a welfare check that ended in a fatal shooting. *Crosby v. Colleton County Sheriff's Office*, No. 24-1076 (4th Cir. July 31, 2026). The majority applies *Case* straightforwardly; the partial dissent is the more useful training document.

Legal Analysis

A wife called 911 reporting that her husband had threatened to harm himself and had gone to an isolated river house. The deputy knocked at three doors over roughly seven minutes without response, saw the truck present and a dog barking unattended, and made escalating entries, finding an apparent suicide note and pill bottle in plain view and a live round in a hallway before locating the man in bed. The man repeatedly told him to leave, retrieved a long gun from a closet, and moved toward him. The deputy fired. The court held the entries justified under *Case* even before the note was found, rejecting any requirement of visible chaos or evident distress, and held the deadly force reasonable. Judge Floyd would have sent three disputes to a jury: whether the deputy was visually identifiable as law enforcement in a dark house behind a flashlight, whether the muzzle was ever raised, and whether clear commands to drop the weapon were given as distinct from a rapid string of “no” and “don’t,” relying on *Knibbs v. Momphard*, 30 F.4th 200 (4th Cir. 2022).

Why This Matters to Chiefs

Crosby is not binding here, and Massachusetts adds two layers it does not address. An officer's authority to restrain a person in behavioral-health crisis comes from G.L. c. 123, § 12(a), which permits an officer, in an emergency where a qualified clinician is unavailable, to restrain a person and apply for hospitalization on a belief that failure to hospitalize would create a likelihood of serious harm by reason of mental illness. The POST Commission has issued guidance addressing §§ 12(a) and 12(e) and the use of force, and that guidance and the statute, not the federal cases, are the operative framework. Separately, G.L. c. 6E, § 14 makes de-escalation a precondition to physical and deadly force unless attempted and failed or infeasible, whereas federal decisions treat it as one factor. A use of force can satisfy *Case*, *Graham*, and *Barnes* and still present a c. 6E problem. The dissent's three disputed facts are each controllable through tactics and training, and they are the facts most likely to determine whether a case survives summary judgment.

Key Takeaways

- *Case v. Montana*: an objectively reasonable basis, not probable cause, limited to what is reasonably necessary to address the emergency.
- Behavioral-health restraint authority runs through G.L. c. 123, § 12, with POST Commission guidance on §§ 12(a) and 12(e) and the use of force.
- G.L. c. 6E, § 14 makes de-escalation a precondition. Federal reasonableness is a floor.
- Officer identifiability in low light, distinct verbal commands, and tactical repositioning are trainable variables.

Four Use-of-Force Decisions and the Massachusetts Overlay

Four federal appellate decisions this summer applied *Graham v. Connor*, 490 U.S. 386 (1989), and *Barnes v. Felix*, 605 U.S. 73 (2025), which requires consideration of the totality of circumstances including events leading up to the force. All four are out-of-circuit, and each describes conduct on which Massachusetts law imposes requirements the federal analysis does not.

Legal Analysis

Morgan v. City of Charlotte, No. 23-1748 (4th Cir. June 29, 2026). Officers shot a man with bipolar and schizoaffective disorders who barricaded and repeatedly fired what proved to be a blank-firing prop gun into a residential neighborhood. No excessive force: a reasonable officer would perceive the weapon as functional, and hindsight observations such as missing bullet holes cannot be imputed to officers reacting in seconds. No ADA violation: officers attempted accommodation before exigency arose. The court treated de-escalation as one factor and declined to impose a warning requirement.

Edwards v. Grubbs, Nos. 24-12787, 24-12925 (11th Cir. June 30, 2026). An officer tased a fleeing, unarmed 65-year-old panhandling suspect in the back, without warning, at the top of a 30-foot embankment; the fall left him quadriplegic. Tasing a person in a vulnerable elevated position is functionally deadly force, and *Tennessee v. Garner*, 471 U.S. 1 (1985), clearly established that deadly force may not be used against an unarmed, nonviolent suspect fleeing on foot. Qualified immunity denied. The court also held that qualified immunity is an affirmative defense waived if not pled, though it may be raised at trial if pled; that a Monell theory resting on lax body-camera enforcement failed for want of a pattern; and it reduced a \$20 million punitive award to \$1 million.

Estate of Thomson v. Behn, No. 25-2827 (7th Cir. July 9, 2026). A man restrained after erratic behavior at a hospital repeatedly said he could not breathe, was placed in a WRAP device, and died of a cardiac arrhythmia. No excessive force and no denial of medical care, because officers monitored his breathing, ensured no one pressed on his torso, relied on a hospital clearance form, and deferred to a jail nurse. The court restated that compliance or noncompliance with departmental policy is neither sufficient nor necessary to the Fourth Amendment analysis.

Lakey v. Bryant, No. 25-7068 (10th Cir. July 7, 2026). Municipal officers tased a naked, agitated man fifty-three times; a county deputy responding under a mutual aid policy applied a lateral vascular neck restraint until he lost consciousness. He died, and the municipal officers were criminally convicted. The sheriff prevailed on every claim: qualified immunity on the mutual aid policy, no Monell custom absent a widespread pattern, and no spoliation default because the court found merely negligent his disposal of a phone containing texts from that night after a preservation letter had issued.

Why This Matters to Chiefs

Start with the divergences. G.L. c. 6E, § 14 makes de-escalation a precondition to force, so *Morgan's* treatment of it as one factor does not state Massachusetts law. *Morgan* also rests on the Fourth

Circuit's rule that the ADA applies to arrests; the First Circuit expressly left that question open in *Gray v. Cummings*, 917 F.3d 1 (1st Cir. 2019), an Athol taser case that also held a jury could find taser use on a nonviolent, mentally ill person resisting arrest excessive. The neck restraint in *Lakey* is prohibited by name here: G.L. c. 6E, § 1 defines chokehold to include a lateral vascular neck restraint, and § 14(c) bars both its use and training in it, and such a use would be an officer-involved injury or death triggering POST notification. Prone and positional restraint of the kind in *Thomson* is addressed by the statewide use-of-force regulations at 555 CMR 6.00, and *Thomson's* observation that policy compliance is irrelevant to the constitutional question runs the opposite direction here, where a POST violation can support discipline or decertification with no constitutional violation at all.

Then the transferable lessons. *Edwards's* taser-at-elevation holding is a training point. The rule that qualified immunity is waived if not pled is worth a word with municipal counsel. And *Lakey's* spoliation ruling is a warning: once a preservation letter or tort claim notice issues, the duty to preserve reaches phones, texts, and body-worn camera footage, and the sheriff escaped default only because the court credited his account of negligence.

Key Takeaways

- G.L. c. 6E, § 14 makes de-escalation a precondition to force. The lateral vascular neck restraint is a prohibited chokehold under §§ 1 and 14(c).
- Whether Title II of the ADA applies to arrests remains open in the First Circuit. *Gray v. Cummings*, 917 F.3d 1 (1st Cir. 2019).
- Tasing a fleeing, unarmed, nonviolent suspect at a height is treated as deadly force. Qualified immunity must be pled or is waived.
- A POST or policy violation can support discipline or decertification independent of any constitutional violation. Check restraint provisions against 555 CMR 6.00.
- A litigation hold reaching phones, texts, and camera footage should trigger on a preservation letter or tort claim notice.

Arrests and Force in Response to Protected Speech: *Steger v. Willis* and *Thompson v. McGehee*

Two decisions this summer address what happens when an arrest or a use of force follows speech the officer did not like. Both are out-of-circuit, and both apply principles that control here.

Legal Analysis

Steger v. Willis, No. 25-6006 (6th Cir. July 21, 2026). Officers investigating a stolen insulin pump spoke with a man on his porch behind an iron gate. He refused identification, demanded a warrant, used profanity, and replied “fuck you” after being told not to cuss. The officer immediately slammed the gate into him, took him down, and allegedly punched him. Qualified immunity was denied: the offense was minor, the gate separated them, he did not try to leave, and he was not told he was under arrest. Clearly established law barred force against a non-resisting person; the issue was whether any force was justified.

Thompson v. McGehee, No. 25-10196 (5th Cir. July 17, 2026). A city councilwoman critical of city leadership was arrested minutes before a council meeting after editing and returning a draft agenda sent to her by email. The district attorney had declined a felony

referral, but officials directed police to “get it done” as a misdemeanor; her absence let the mayor break a tie. The Fifth Circuit revived her Franks claim, holding the inbox copy was not a governmental record and the affidavit, without alleged misstatements, showed innocuous conduct. Because she pleaded no probable cause, her First Amendment retaliation claim proceeded under *Mt. Healthy*, and her Monell claims survived based on an alleged custom of targeting critics.

Why This Matters to Chiefs

Steger is the more common scenario. Profanity directed at an officer is protected speech, and it is not a basis for force or arrest. The case is a reminder that the relevant question at the summary judgment stage is whether any force was justified against a person who is not resisting, not whether the amount was proportionate. Departments may want to address in training the specific dynamic of a verbally abusive but physically compliant subject at a residence.

Thompson is rarer but more damaging when it occurs. The exposure runs to the officer who signs or contributes to the affidavit, and a Franks claim survives where the misstatements are necessary to probable cause. It also illustrates the *Nieves* structure: probable cause generally defeats a retaliatory arrest claim, but where the plaintiff pleads its absence, the retaliation claim proceeds on ordinary causation principles. Massachusetts chiefs should note the institutional lesson: a department directed by municipal officials to develop a charge against a political critic faces both individual liability for the affiants and municipal liability for the custom. The right response to such direction is documented consultation with the prosecutor and municipal counsel.

Key Takeaways

- Profanity toward an officer is protected speech. Force against a non-resisting person is clearly established as unlawful; the issue is whether any force was justified.
- An officer who knowingly or recklessly includes false statements necessary to probable cause faces Franks liability, and it extends to officers who supply information for the affidavit.
- Where a plaintiff pleads the absence of probable cause, the *Nieves* bar does not apply and a retaliatory arrest claim proceeds on ordinary causation principles.
- Allegations that a department was used against political critics can support municipal liability. Direction from officials to develop a charge warrants documented consultation with the prosecutor and counsel.

Before You Delete That Comment: *Schulte v. Leners*

This item concerns the other half of a department's social media exposure: moderating what the public says on the department's own platform. *Schulte v. Leners*, No. 25-1856 (7th Cir. Aug. 5, 2026), denied qualified immunity to a town official who deleted critical comments from a municipal website.

Legal Analysis

The website permitted comments with no policy on who could comment or what they could say. The board chairman posted a notice advocating a policy change; most commenters disagreed. He labeled critics' comments disrespectful, announced bans, deleted their comments, and eventually removed all comments under the post. The court held the comment section was a public forum while open, that viewpoint-based deletion violated the First Amendment,

and that the law was clearly established in 2022. The town could have closed comments entirely and later did, which was permissible. Websites receive standard forum analysis. *Packingham v. North Carolina*, 582 U.S. 98 (2017). The comments were private rather than government speech because, under *Shurtleff v. City of Boston*, 596 U.S. 243 (2022), the absence of any policy or meaningful control over content is what makes speech private. Deleting speech because it is offensive or derogatory is a rationale the Supreme Court has foreclosed and is itself evidence of viewpoint discrimination. *Iancu v. Brunetti*, 588 U.S. 388 (2019).

Why This Matters to Chiefs

Nearly every department maintains a page where the public can comment, and the impulse to remove a comment attacking the department or an officer is understandable. *Schulte* is a reminder that the impulse carries personal exposure that qualified immunity will not cover. Two paths are legitimate: close comments entirely, prospectively and for everyone; or keep them open under a written, viewpoint-neutral moderation policy adopted in advance, addressing categories such as true threats, obscenity, disclosure of personal identifying information, and spam, applied consistently with the basis for each removal documented. Ad hoc deletion of critical or offensive comments will not survive review. *Lindke v. Freed*, 601 U.S. 187 (2024), governs when an official's personal account becomes state action.

Key Takeaways

- A comment section opened without a governing policy is likely a public forum; viewpoint-based deletion there is clearly established as unconstitutional.
- “Offensive,” “disrespectful,” and “derogatory” are not permissible deletion criteria.
- Closing comments prospectively for everyone remains permissible, as does a written viewpoint-neutral policy applied consistently.
- Exposure can run to the individual official. *Lindke v. Freed* governs personal accounts.

Two Investigations That Never Happened: *Liedtke v. City of Austin* and *EEOC v. SkyWest*

Two Fifth Circuit decisions in different postures teach the same lesson: the adequacy of the internal investigation frequently matters more than the underlying conduct. *Liedtke v. City of Austin*, No. 25-50717 (5th Cir. Aug. 3, 2026), reversed summary judgment for a police department; *EEOC v. SkyWest Airlines*, No. 25-10491 (5th Cir. July 9, 2026), affirmed a jury verdict including punitive damages.

Legal Analysis

In *Liedtke*, a female officer recruited onto an all-male shift because, by supervisors' own account, it needed a female officer, reported near-daily sexist commentary and a parking-lot confrontation in which a colleague suggested they fight. Two successive supervisors declined to investigate. Six days after the second report, a colleague warned the supervisor that the officer might file an EEOC or internal-affairs complaint and in the same conversation accused her of officer-safety problems. The next day the supervisor issued a performance-improvement plan she admitted was largely copied from that officer's text messages, covering months-old incidents a prior supervisor had handled; the

approving lieutenant testified she would not have signed it had she known its provenance. Fact disputes precluded summary judgment: such a plan can be an adverse action where it diminishes standing or alters conditions, here restricting solo patrol, and under the cat's paw theory a biased subordinate's animus is imputed to a decision-maker who relies on his account without independent review.

In *SkyWest*, the punitive award survived under *Kolstad v. American Dental Ass'n*, 527 U.S. 526 (1999), because the good-faith defense failed: the investigator selected witnesses at random rather than interviewing all of them, failed to follow up on references to sexual talk, failed to gather obvious evidence, and imposed only written warnings while disciplining neither the harasser nor the supervisor.

Why This Matters to Chiefs

Three failures drove *Liedtke*. The unaddressed complaint made everything after it look retaliatory. The sequence, complaint then colleagues' fear of an EEOC filing then a performance document the next day, carries a plaintiff past summary judgment on causation. And copying a complained-about officer's allegations verbatim into a formal document is the cat's paw pattern; where the source is a person the employee has complained about, the supervisor must verify independently and the file must show it. *SkyWest* is the same lesson at the punitive stage. Parallel claims here run under Title VII and G.L. c. 151B, and the Fifth Circuit's adverse-action doctrine, drawn from *Hamilton v. Dallas County*, 79 F.4th 494 (5th Cir. 2023) (en banc), should not be imported as Massachusetts law.

Key Takeaways

- A complaint requires an investigation. Supervisory turnover and an assumption that the matter resolved itself are not answers.
- Discipline days after a complaint invites a causation inference; the independence of the process must be demonstrable.
- Verify allegations from a complained-about officer independently before documenting discipline.
- The adequacy of the investigation drives punitive exposure under *Kolstad*.

Indefinite Leave Is Not an Accommodation: *Dieng v. Orkin* and the § 111F Problem

May's issue noted that exhausting a fixed leave period does not end the ADA analysis. *Dieng v. Orkin, LLC*, No. 25-1221 (4th Cir. Aug. 5, 2026), sharpens the point in a way that maps onto a pattern common in Massachusetts departments.

Legal Analysis

An employee injured on the job was cleared to return to lighter work but not his prior role. He asked repeatedly to be reassigned; no one discussed his limitations, contacted his physicians, or responded substantively, and the employer filled vacant lighter-duty positions in the region while he sat on unpaid leave for sixteen months before resigning. The court held that where an employee seeks reassignment, the essential-functions analysis applies to the position sought, not the position held; that indefinite leave was not a reasonable accommodation, because an accommodation must be effective, *US Airways, Inc. v. Barnett*, 535 U.S. 391 (2002), and the employer knew he could not return to his prior role; and that a jury could find the employer never engaged in the interactive process.

Why This Matters to Chiefs

G.L. c. 41, § 111F grants an officer incapacitated by a line-of-duty injury leave without loss of pay until retirement or until a designated physician finds the incapacity has ended. Because the leave is paid, a department without a suitable light-duty assignment will often leave an injured officer on that status indefinitely and treat the matter as resolved. Paid status helps on hardship, and the leave in *Dieng* was unpaid, but it does not answer the reassignment question. Obligations under the ADA and G.L. c. 151B, § 4(16) to engage in the interactive process and consider reassignment to a vacant position continue to run while the officer remains on § 111F, particularly where the incapacity as to the prior role is permanent. Departments may want to consider whether the interactive process is documented, whether vacant civilian or administrative positions have been evaluated, and how CBA light-duty provisions and fitness-for-duty processes interact, coordinating with labor counsel given the bargaining implications.

Key Takeaways

- The essential-functions analysis for reassignment applies to the position sought, not the position held.
- Indefinite leave is not an accommodation where the employer knows the employee cannot return to the prior role.
- § 111F's paid status strengthens the hardship position but does not answer reassignment.
- Document the interactive process, evaluate vacant positions, and coordinate with labor counsel.

For Campus and University Chiefs: Title IX Employment Claims Head to the Supreme Court

The Supreme Court granted certiorari on May 18, 2026, in *Crowther v. Board of Regents of the University System of Georgia*, No. 25-183, to decide whether Title IX provides employees of federally funded educational institutions a private right of action for sex discrimination in employment. Argument is expected this fall.

Legal Analysis

The Eleventh Circuit, joined by the Fifth and Seventh, holds that Title VII is the exclusive federal remedy. The First Circuit sits on the other side: under *Lipsett v. University of Puerto Rico*, 864 F.2d 881 (1st Cir. 1988), Title VII does not preclude a Title IX employment claim, which carries no EEOC exhaustion requirement and no cap on compensatory damages.

Why This Matters to Chiefs

This is a campus item, not a municipal one; a municipal department is not a federally funded educational institution. But members leading departments at UMass, the state universities, community colleges, and private institutions whose officers are appointed as special state police officers under G.L. c. 22C, § 63 currently sit in a jurisdiction where the department, as an employer, may be sued under Title IX with neither exhaustion nor a damages cap. *Crowther* will decide whether that remains true. No action is needed now beyond awareness that the two frameworks presently run in parallel.

Key Takeaways

- *Crowther* will resolve whether Title IX supplies an employment discrimination cause of action; the First Circuit currently says yes under *Lipsett*.
- Relevant to campus and university departments only.



COPPER

"Chiefs of Police Pleasantly Enjoying Retirement"

Chief Michael R. Healy, Ret.

I hope each of you had a wonderful summer and had an opportunity to get out of the office and take a nice long vacation. In early June I was questioning if summer and warm weather were actually on the horizon. By the time July rolled around with the long stretch of close to 100 degree temperatures I forgot all about the winter that never ended. Speaking of summer how many of you had the opportunity to apply the information I provided in the last newsletter? Did you listen to and count the frequency of the cricket's chirps? Did wearing lighter colored clothing reduce your mosquito bites and how many of you took a walk in the garden to talk with and listen to your plants?

I recently read a MCOPA discussion forum which was sent out to our membership last July 29th. I really like this Forum section and think it will open a venue for better inter-departmental communications across the State. The post told how the Town of Plainville had opted to lease a cruiser rather than purchase it. The article reminded me of similar action I took in Westport in 1997. Then, as today, I am sure some communities leased vehicles but my experience had been to purchase from the State bid. When I was appointed Chief in Westport the department consisted of nine cruisers, a ten year old DARE van and a Harley motorcycle. The police department at the time did not have any all wheel or 4 wheel vehicles in their fleet although Westport was 64.4 square miles in size with miles of beaches and shorelines and 134 miles of roads. I mention that because when I was hired from outside the agency, something never done before or since, amongst concerns of the police chief selection committee and the Board of Selectmen was the department's vehicle fleet and purchasing practices. Six months prior to my appointment two people drowned on Horseneck Beach and were pulled ashore at the far end of the beach. Because the department had no four wheel drive vehicles emergency responders had to walk close to a half mile carrying emergency equipment to the scene and carry the victims back on stretchers. It was something that had not gone unnoticed by the elected officials. Of the nine department cruisers four were unmarked and of that four three of these were fancy high performance unmarked Chevrolet Impala Super Sports with bucket seats, chrome mag wheels and all the bells and whistles not found on standard Chevrolet Impalas. One of these cruisers was assigned to the police chief, one to the on duty lieutenant and the third to the chief of detectives. I was told that these

cruisers were not purchased using the State bidding process and I later found out one had been a used car purchased from a North shore car dealership. Needless to say I inherited an issue that I was expected to address forthwith and a fleet needing updates. I am not citing this to criticize, point fingers or place blame on the past administrations practices. I'm only stating this because it was actually one of about a dozen reasons the Town went outside the agency and a factor in my choosing to lease. So in March of 1997, upon my appointment, I was immediately faced with budget issues outside the planned budget I inherited and needed to be creative. Ford Crown Vic's on the State bid back then were around \$21,000-\$22,000 as best I can recall. I had enough money scheduled in the budget to purchase one car. I needed more than one car and knew the need for an all-wheel or 4 wheel vehicle was omnipresent. I reached out to David Eycleshymer and Clay Chase at MHQ to identify the best way to meet my needs with the money available. As the new chief I did not want to go to a special Town meeting looking for additional funds. I also met with a supportive member of our local budget committee. To my good fortune, Bob McCarthy, the budget committee liaison to the police department, was a retired lieutenant from the MSP and not only supportive of the police department but a proponent for the Board of Selectmen going outside the agency. During my tenure in Westport Bob became a good friend and my sounding board. As a result of many meetings and various options I decided I would propose to the Board of Selectmen the option to lease 3 vehicles with the option to purchase for \$1 at the lease end. It was also during this exchange with the BOS that I suggested implementing a department cruiser take home program. I offered to provide the Board with projected long term costs, long term possible savings, and benefits to the community along with research on other departments that had instigated similar programs. I will say the Selectmen were not enthusiastic supporters during our first couple of meetings and Bob McCarthy I think questioned my stability. Other than the MSP I was aware of only one small department in Massachusetts who had adopted an officer cruiser take home program. That department was the Northborough Police Department. Following much dialogue with the BOS and the budget committee I did lease three vehicles, one being a four wheel drive SUV, and continued my research for justifying an officer assigned vehicle program. For the next six months

I reached out to multiple agencies across the country, both large and small, to identify the pros and cons and costs for maintaining an officer assigned vehicle program. By the time I was beginning my next FY budget process I again met with the BOS and presented them with my findings on other agencies with OAV programs. I was pleased when the Board gave me the thumbs up to try the program on a trial basis with assignments of vehicles increased with annual purchase approvals. That year I budgeted to lease six cruisers adding another four wheel cruiser to the fleet. Vehicles were assigned to officers on a seniority basis and since Westport at the time had a residency requirement all assigned vehicles were parked in Westport neighborhoods. The program was well received by the officers and many residents. However, I would be lying if I said the community support was unanimous. Like any community there is always a group who fight any budget increases, public employee benefits and actually some who don't like to fund anything for the police. Hard to believe isn't it. Within months we witnessed the paybacks of the program with OAV coming across or responding to accidents while officers were on their way to or from work. More rapid responses from officers called back or into duty for emergency purposes while off duty. And the feedback from people who had a cruiser parked in their neighborhood was positive. When I retired a few years later the department fleet had increased to twenty-five vehicles with most officers assigned a cruiser. We did have some officers who chose not to have an OAV and some newer officers who had not yet received one. To the best of my knowledge Westport still has an OAV program. From my research and later experience with the Westport program the cruisers years of service lasted a lot longer, were better maintained and cleaned and officers took pride in their cruiser. This shows that sometimes a bad situation can turn out to be the catalyst for positive change when you think outside the box and become creative. I remember well when I told other southeast chiefs and even members of my command staff of my intentions of implementing an OAV program how they thought I was crazy and said it would never fly. It came to fruition because of a supportive Board of Selectmen and community. That piece in the Discussion Forum I read about Plainville brought back these old memories.

Okay, now for some truly useless information which may or may not enlighten you. What's the most boring day in history, a day where truly nothing important happened? That was the question posed in 2010 to a computer program named True Knowledge. Designed by computer scientist William Tunstall-Pedoe, the program contained 300 million facts, many of them tied to dates. After scouring those facts and comparing them to their respective dates, True Knowledge decided that April 11, 1954, was the most boring day in the 20th century. Belgium held a general election, some sports events happened, a coup in India was possibly planned but not

carried out until two days later, and no notable births or deaths occurred, at least as far as the computer program could figure out. But then again someone always wants go one better and spend millions to look back where to many time didn't exist. Scientists may have some other days to suggest when it comes to the most boring day in history ever. The period from around 1.8 billion to 800 million years ago is known to geologists as "the Boring Billion," because very little happened on Earth in terms of evolution, atmospheric chemistry, or geologic formation. Really they looked that far back? Scientists said basically, it's like the Earth was on pause for a billion years. It wasn't until the Cambrian explosion some 530 million years ago, when most major animal groups started to appear in the fossil record, that things really started to get exciting. So chin up, April 11, 1954: You weren't very interesting, but there's at least a billion years that you easily beat.

How about this knowledge. A study analyzed the behavior of 508 chimps and orangutans in captivity at zoos in five different countries, and found that these animals' well-being hits its nadir around their mid-20s or early 30s, middle age for chimps and orangutans. Of course, scientists couldn't directly ask the chimpanzees how they felt, so they instead relied on zookeeper questionnaires to assess the animals' overall mood, level of joy in social situations, and how successful they were in achieving particular goals. Although the dataset is subjective, its sheer size highlights an overall trend that's remarkably human, since we also tend to experience a dip in happiness and well-being around midlife. It's just another trait that entwines us with our primate brethren. Who would have guessed Apes go through mid-life crisis. Wow, the well spent money we go through so I can bring you enlightenment.

Have you ever wondered the origin of some of these idioms we use today? For example "I've Got It In The Bag." The most widely accepted use of this idiom comes from America's very own national pastime: baseball. In 1916, the New York Giants (now known as the San Francisco Giants) had an incredible winning streak of 26 consecutive games. The Giants believed that, if they were in the lead during the last inning of a game, moving a bag filled with extra baseballs off the field would secure their victory. They had "captured" the game in the bag. This team's superstition has now evolved into an everyday idiom that means secured and complete success.

Thoughts for the day

Everyone has a million problems until they lose their health. Then they have only one. Health is the real luxury. Stay grateful. (My mother-in-law always said, "Your health is your wealth." So true Barbara.)

Nothing is a coincidence. Every person you meet is written in your destiny either to teach you, to heal you or to love you.

If they stand behind you, give them protection. If they stand beside you, give them respect. If they stand against you, show them no mercy.

Words of Wisdom

One thing travel has taught me is this – We always think we have one more day to take a trip, watch a sunset, to make new memories. The truth is we don't have one more day. We have one less. So don't wait.

Grief changes your tolerance for what doesn't matter.

"You don't have to be handicapped to be different. Everybody is different." Kim Peek American Savant

Mystery Trivia

The trivia question for our last monthly newsletter asked what word was traditionally always spelled incorrectly in officer's reports. I received twenty-one responses to the trivia question and believe it or not I did not get the correct answer. Considering this was the summer newsletter I believe the number of responses was great. One chief actually provided several language or spelling difficulties he believed were common such as how there, their and there're are used and should the distance be further or farther. Other words submitted included surveillance, receive, statute, definitely, occurrence, affidavit, subpoena, accommodate and separate to name a few. One chief said he had a sergeant who repeatedly misspelled lieutenant always spelling it luitenant. My guess is this sergeant has reached his plateau in rank and achieved the Peter Principle and will not make lieutenant. I'm finding you COPPER chiefs haven't lost your edge and are sharp and quick to come up with answers to the monthly questions. As a result I decided to see how many retired guys still think outside the box see things other than balk or white. The question asked what word is always spelled incorrectly in reports and the answer is INCORRECTLY. Gotcha!

This month's trivia question

Blue laws are called that because the word "blue" was 18th-century slang for a rigid, over-strict moral code. Over the years many Blue Laws in Massachusetts have been eliminated. However, if you are a senior COPPER chief you certainly remember some of those laws that were still being enforced during your early years. Perhaps you charged someone with a Blue Law violation. Can you name three Blue Laws that were in place during your career that are no longer in effect? You need to name 3.

If you are the first to answer the monthly trivia question you will receive a prize. That prize will be a monogrammed MCOPA item that's in stock at the office. You win and the prize will be mailed to you. If you think you have the correct answer send it to me at topcopwpd1@gmail.com. Cheryl will make sure you are rewarded.

Just think of life as fun

People think police officers are anti-social. Truth is we've seen the circus and we know who the clowns are and we don't want to participate.

You can be miserable before you have a cookie, and you can be miserable after you eat a cookie, but you can't be miserable while you are eating a cookie. – Ina Garten

I don't get nearly enough credit for the things I manage not to say.

Jimmy Fund

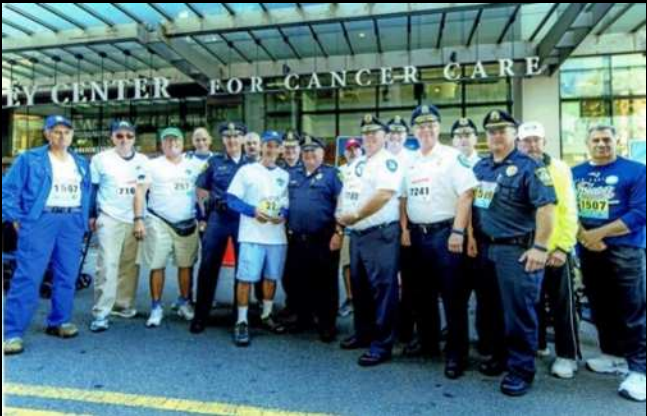
The Jimmy Fund walk is less than a month away and as of today we still only have 83 Team Police Chief Members. That's 42 short of what our team captains set as the goal of having 125 members. Thank goodness we still have COPPER chiefs available who aren't afraid of making a commitment and step up. Thank you to all the COPPER Chiefs who are walking and all of those who, for some reason cannot participate in the walk, continue supporting our associations Jimmy Fund efforts with donations.

If any of you have a minute and are even concerned about your associations pledge to support the Jimmy Fund and Dana Farber see how your regional association is represented in the walk. I know it's more of a commitment for a chief in East Longmeadow, Pittsfield and Williamstown to commit to walk than a chief in say Natick, Scituate or Swampscott. However, if you want to be part of our associations Jimmy Fund commitment you don't have to walk in Boston. Walk in your community, walk at the beach or walk virtually. They make sure it's not hard for you to be part of the fundraising efforts. I think our Team Captains should provide some type of incentive challenge to each of our regional associations and see which region provides the most walkers and raises to most money for the Jimmy Fund. Perhaps the region with the most success is where our 4 or 5 State association meetings are held for the year. I know if I lived in Rockport or Mount Washington I would welcome not having to travel to Sutton and going to a meeting in my region. Let's post in November what the numbers were by region and see what region won.

Pictured below are a few Team pictures from various years. Sadly several of these fellow chiefs are no longer with us because of cancer. Just how important is this fund raising effort to you.



Team Police Chiefs stepping off 2023



Jimmy Fund Team Police Chiefs 2015



Team Police Chiefs 2014

Quote of the day

"There are two ways to be fooled: one is to believe what isn't true, the other is to refuse to believe what is true." - Søren Kierkegaard



SLAINTE MHATH



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October 1 - NESPIN

October 6 - Methuen

November 12 - Duxbury

December 15 - Bourne

**Instructor: Kevin P. O'Neil,
MSP, Det LT (Ret)**

9AM - 3PM

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**Mark D. Abraham CPA
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Psychological Fitness for Duty Evaluations Questions and Answers

Dr. Lewis Schlosser / 646-342-5480 / lew@ifp-testing.com

One of the most challenging personnel issues facing police chiefs is when the fitness for duty of one of their officers is called into question. Below I will highlight some of the most common questions I receive regarding psychological fitness for duty evaluations (FFDE) and the answers.

1. What is a psychological FFD?

Let's take this one right from the IACP Guidelines on Psychological FFD:

"A psychological FFDE is a formal, specialized examination of an incumbent employee that results from (1) objective evidence that the employee may be unable to safely or effectively perform a defined job and (2) a reasonable basis for believing that the cause may be attributable to a psychological condition or impairment. As such, an FFDE is considered a "medical" examination under the terms of the Americans with Disabilities Act. The central purpose of an FFDE is to determine whether the employee is able to safely and effectively perform his or her essential job functions."

<https://www.theiacp.org/sites/default/files/2024%20FFDE%20Guidelines.pdf>

2. When is it appropriate to refer an employee for a psychological FFD?

There is a legal threshold that must be met before an employee can be ordered for an FFDE. That threshold is either: (a) objective evidence that the employee may not be able to safely and effectively perform one or more essential job functions and a reasonable belief that there is a psychological condition or impairment underlying or (b) danger to self or others. Beyond the IACP guidelines, the medical examination rule comes from 42 U.S.C. § 12112(d)(4)(A). In addition, Massachusetts Chiefs have a parallel obligation under G.L. c. 151B, § 4(16).

One of the most common situations that leads to an FFDE is an officer who needs to be temporarily off-duty while they seek mental health treatment. Following the completion of the treatment, the agency should send the officer for an FFDE. That said, always consult with your local legal counsel regarding the leave mechanics.

2a. What if I get a letter from the officer's treatment facility clearing them for work?

Treatment facilities are not conducting FFDE as part of their treatment of your officer. That said, many facilities produce boilerplate letters for people following their discharge. Treatment professionals are not objective by the nature of their role; there is a bias inherent in treating someone in that the professional feels better about themselves when their patients do well. Hence, when you need to order an employee for a psychological FFDE, you should utilize an objective (non-treating) evaluator who specializes in Police and Public Safety Psychology.

3. Should I send my officer for an FFD after they have been involved in a shooting or other critical incident?

No. The IACP Guidelines on Officer-Involved Shootings, which reflect best practices in Police and Public Safety Psychology, state that officers should be returned to duty as a normal matter of course. The act of firing one's weapon does not make the officer unfit to carry a weapon (so if you need to take an officer's weapon for evidence, then give your officer another

firearm), and the act of firing one's weapon does not make the officer psychologically unfit for duty. If an officer can't return to duty as a normal matter of course and needs some psychological help, then the FFDE is appropriate for an eventual return to duty following the completion of treatment. That said, if your agency already has a department policy or CBA requiring a post-incident evaluation, then you should follow that policy and work to change it in the future.

4. What if my officer self-discloses to the agency that they are receiving mental health treatment?

Seeking counseling or psychotherapy by itself does not meet the legal threshold for ordering a psychological FFDE. If an employee self-reports that they see a therapist, my advice is to be supportive and encouraging to your officers for taking positive and proactive steps to take care of their wellness. Police Chiefs can help reduce the stigma of asking for help among police officers with this stance. In my next column, we will talk about psychotropic medications, and I will also briefly address them in my presentation at the upcoming MCOPA Training Conference.

5. How do I ensure that the FFD is not a substitute for a disciplinary process?

If your employee has engaged in misconduct (even serious misconduct) but there is no reasonable belief regarding an underlying psychological condition or impairment, then discipline (and not an FFDE) is the correct course of action. Remember that bad behavior and/or a bad attitude is not a psychological condition or impairment, and this kind of misconduct should be managed through progressive discipline.

That said, if an officer who is being disciplined also requires an FFDE, make sure to keep the FFDE process separate from the discipline (e.g., don't order the FFDE as part of the disciplinary disposition).

6. What can I expect with regard to the FFD report?

You will receive information regarding your officer's fitness for duty, along with any treatment recommendations or work restrictions. You should keep the fitness for duty report in a confidential medical file, separate from the officer's personnel file, and with access limited to those who need to know as the FFDE contains protected health information about your officer. This will protect the department under c. 151B and keeps the material within the medical exemption at G.L. c. 4, § 7(26)(c) if a records request arrives.

Conclusion

Do you have a question regarding psychological fitness for duty evaluations? If so, please send it along to me. As always, I am available to MCOPA members for *free* consultation if you have any questions or concerns about an employee's psychological fitness for duty – or any other police psychology matter (e.g., pre-employment psychological evaluations).

You can reach me at lew@ifp-testing.com and 646-342-5480. Stay safe and healthy!



Legislative Updates

Legislative Update: A Look Back at the 2025–2026 Legislative Session

The Massachusetts Legislature concluded formal sessions for the 2025–2026 legislative cycle on July 31, bringing to a close two very active years on Beacon Hill. While informal sessions continue through the remainder of the year, the end of formal sessions provides an opportunity to look back at the Massachusetts Chiefs of Police Association's legislative efforts and the issues that have been important to our members and the communities they serve.

Throughout this session, MCOPA worked to strengthen our presence at the State House and ensure that the perspective of municipal law enforcement was part of the legislative process. That work included filing and supporting legislation, submitting written testimony, meeting with legislators and the Administration, responding to proposed amendments, reviewing legislation with our General Counsel, and working with our law enforcement partners on issues affecting public safety.

Legislative Successes

One of the most meaningful accomplishments of the session was the passage of the Blue Star Families legislation. MCOPA strongly supported this effort to recognize the families of Massachusetts law enforcement officers killed in the line of duty. Governor Healey signed the legislation on July 15, creating a Blue Star Family registration plate available at no charge to eligible family members. The final law includes parents, children, spouses, siblings, and grandchildren.

MCOPA was also proud to support the establishment of the statewide Blue Envelope Program, designed to improve interactions between law enforcement officers and individuals with autism spectrum disorder. Importantly, the law includes MCOPA as a partner with the Massachusetts State Police, Registry of Motor Vehicles and autism advocates in the development of the statewide program.

These successes demonstrate what can be accomplished when law enforcement, legislators, advocates and the Administration work collaboratively toward practical public safety solutions.

Continuing Our Public Safety Agenda

Not every legislative priority crosses the finish line during a two-year session, and MCOPA continued to advocate for several important measures that remain priorities for our Association.

Among them was S.1737, establishing a standing commission on operating under the influence and impaired driving.

MCOPA supported establishing a permanent forum to address the increasingly complicated challenges associated with impaired driving, particularly cannabis impairment, testing limitations, officer training, enforcement and public education.

We also continued our advocacy on issues affecting campus law enforcement, including legislation addressing HEART Bill coverage and Group 4 retirement eligibility for qualifying campus police officers.

MCOPA supported legislation addressing post-retirement earnings limitations for retired public employees returning to public service, an issue that has become increasingly important as municipalities struggle to recruit and retain experienced personnel.

Other priorities included legislation concerning the application of the Massachusetts Tort Claims Act to Law Enforcement Councils, continued work on public safety identification credentials, and measures designed to protect officers and first responders while performing their duties.

Although some of these proposals did not receive final enactment before formal sessions ended, the work done during this session provides a strong foundation for renewed advocacy in the next legislative cycle.

Responding to Legislation Affecting Policing

Our legislative work is not limited to bills that MCOPA initiates or supports. An equally important responsibility is carefully reviewing proposals that could significantly affect police operations.

During the session, MCOPA engaged on proposals involving immigration enforcement, automated traffic enforcement, juvenile justice, police training, POST Commission requirements, firearms laws, criminal procedure and other matters directly affecting municipal departments.

In the closing weeks of formal sessions, that work became particularly intense as the Legislature considered the Economic Development bill and hundreds of proposed amendments. MCOPA supported amendments that advanced legitimate public safety objectives while raising concerns when proposals presented operational, legal or fiscal challenges for municipal law enforcement.

One example was Senate Amendment 495, a substantial proposal that would have changed the age of criminal majority from 18 to 19 and affected numerous areas of the criminal justice system. MCOPA opposed including such a significant policy change as an amendment to an economic development bill and urged that it not be included in the final legislation. Our position was not that juvenile justice policy should never be reconsidered, but that changes of this magnitude require a deliberate legislative process that fully considers the effects on victims, courts, prosecutors, law enforcement, municipalities and the Commonwealth.

That type of engagement is an important part of MCOPA's role. We must be prepared not only to say whether we support or oppose legislation, but also to explain why and, whenever possible, help develop workable alternatives.

The State Budget

The annual state budget was another major focus. MCOPA continued advocating for funding that directly supports municipal policing, including the Municipal Police Training Committee, behavioral health and jail diversion programs, training resources and other public safety initiatives.

Budget advocacy is particularly important because legislation establishing programs or mandates is only effective when agencies and municipalities have the resources necessary to implement them. MCOPA will continue making the case that investments in training, behavioral health partnerships, technology and municipal law enforcement are investments in safer communities.

Building a Stronger Voice on Beacon Hill

Perhaps the most important takeaway from this legislative cycle is the importance of engagement.

Our effectiveness on Beacon Hill depends heavily on the willingness of chiefs to communicate with their local legislators. When MCOPA issues a legislative call to action, a telephone call or email from a chief to their senator or representative can make

a significant difference. Legislators value hearing directly from the police executives responsible for implementing the laws being debated.

We have also worked hard to approach legislation thoughtfully. There are issues where MCOPA will strongly support a proposal, others where we must strongly oppose it, and many where our role is to identify concerns and work toward language that accomplishes the Legislature's objective without creating unintended consequences for law enforcement or the communities we serve.

That approach has helped strengthen MCOPA's credibility and relationships on Beacon Hill.

Looking Ahead

The end of formal sessions does not mean our legislative work stops. We will continue monitoring activity during informal sessions, working with legislators and the Administration, and beginning preparations for the next legislative session.

Some of our unfinished priorities will return, and new issues will undoubtedly emerge. Technology, artificial intelligence, automated license plate readers, criminal justice reform, officer training, recruitment and retention, behavioral health, POST requirements and the fiscal pressures facing municipal departments will all continue to require our attention.

Thank you to President Shane Woodson, Legislative Committee Chairman Chief Thomas Fowler of Salisbury, the MCOPA Executive Board, our Legislative Committee, General Counsel Eric Atstupenas, and the many chiefs who responded to calls for assistance, contacted legislators, provided operational insight and testified on behalf of the Association. Their involvement and willingness to lend their voices and expertise have been critical to our advocacy efforts.

Our legislative strength comes from that collective involvement. As we prepare for the next session, MCOPA will continue working to ensure that the voice of Massachusetts police chiefs is heard clearly and constructively on Beacon Hill.





Massachusetts Chiefs of Police Association

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Are you a police chief looking to strengthen your leadership skills & expand your network?

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Walk for a Cause: Join Team Police Chiefs Registration is OPEN!



Click Here to Join Team Police Chiefs

We are excited to share that registration is now open for the 2026 Jimmy Fund Walk for Dana-Farber! Join Team Police Chiefs on October 4 as we take steps together against cancer.

This year, we have a goal to raise \$130,000 for Dana-Farber and the Jimmy Fund and hope you will join us in this effort. Register here and use code CHIEF to save money on the registration fee.

All Chiefs will also be receiving Jimmy Fund collection canisters in the coming days – these are a great fundraising vehicle to put in your communities and help raise money for the cause.

Please don't hesitate to reach out to us, or Jess Abbott with the Jimmy Fund, if you have any questions.

Chief Jeffrey Lourie & Chief Larry Barrett
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Massachusetts Chiefs of Police Association

Legal Advisory

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New England State Police Information Network

The RISS App now available on Android!

The Power of RISS, Now in Your Pocket

For decades, the Regional Information Sharing Systems (RISS) Program has been a backbone of secure, multi-jurisdictional intelligence sharing for state, local, tribal, and federal law enforcement. Now, that capability has taken a significant step forward. With the RISS Mobile App now available for Android devices—joining the version already offered for Apple iOS—authorized officers can carry the reach of the RISS Secure Cloud (RISSNET) with them into the field, directly on their smartphones. Built for the field by the field, the app is designed around a simple premise: the information officers need most often shouldn't be tethered to a desktop back at the station. Whether an investigator is developing a lead, an officer is preparing for a high-risk operation, or a detective needs to query a new subject in a timely manner right from the field, the RISS Mobile App puts fingertip access to core RISS resources wherever the work happens.

What the App Delivers

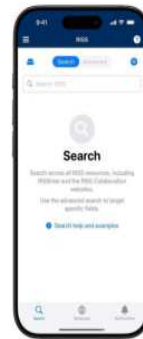
At the center of the app is the ability to conduct simultaneous searches across multiple RISS platforms. A single query can reach into the RISS Criminal Intelligence Database (RISSIntel) as well as the RISS Collaboration websites, including the RISSLeads Investigative website and the RISS Officer Safety website. Rather than logging into several systems separately, an authorized user can search millions of available records from a single interface and quickly identify whether colleagues in other agencies may be investigating the same subject.



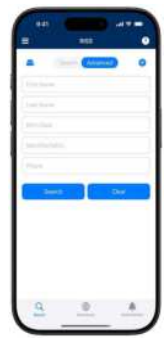
Access begins with the secure RISSNET sign-in—user authentication is required and backed by multiple layers of security.

For investigators who need precision, an advanced search feature allows more refined queries against RISSIntel. Users can search by identifiers such as a Social Security number, vehicle license plate, vehicle identification number (VIN), or even a weapon serial number, pulling results across several RISSIntel fields. The app's date-of-birth search is deliberately forgiving, returning results within a five-year window of an exact month-and-day query—a small but practical touch that reflects how real-world identifiers rarely arrive clean.

Just as important as searching is contributing. The app allows officers to submit new records to RISSIntel directly from the field. After running a search, a user can add a record with the search information already populated or start a fresh entry from the resources menu. Entries can be built by scanning a driver's license, entering fields individually, or attaching supporting details such as crimes, phone numbers, organizations, vehicles, weapons, assets, images, locations, and notes. Because the app is designed for speed in the field, record linking is handled afterward by staff at the appropriate RISS Center, who are notified of every mobile submission and determine whether it should connect to existing intelligence.



The general search spans RISSIntel and the RISS Collaboration Websites simultaneously.



Advanced search targets specific RISSIntel fields: name, birth date, identifier, and phone.

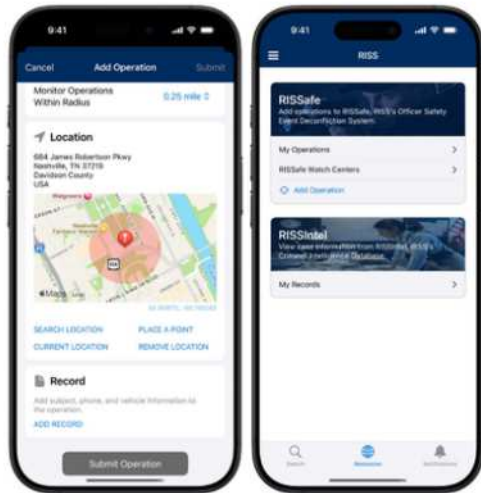
Officer Safety at the Core

Perhaps the most consequential feature for day-to-day operations is mobile access to the RISS Officer Safety Event Deconfliction System, known as RISSafe. Event deconfliction is one of the quiet safeguards of modern policing: it identifies when two or more agencies are unknowingly operating in the same place, on the same target, at the same time—circumstances that can turn deadly without warning.

From the Resources tab, officers can add RISSafe operations and RISSIntel records in the field.

RISSafe is monitored around the clock, 24 hours a day, 365 days a year, and it is integrated with other nationwide deconfliction systems. From the mobile app, officers can enter operations, review conflicts, and respond to deconfliction events without waiting to return to a workstation. Once an operation is submitted, the user is notified if a conflict exists. Consistent with established policy, the appropriate RISSafe Watch Center will notify an officer if a conflict arises at any point during the event's time frame. Officers can also attach investigative context—subject, vehicle, phone, crime, organization, and asset details—which is forwarded for review and potential entry into RISSIntel.

The app further supports connected case coordination. When submitting to RISSIntel, users can choose whether or not they would like to forward their submission to the NCCS, the NDPS, or both, extending the reach of a single field entry across national systems.



From the Resources tab, officers can add RISSafe operations and RISSIntel records in the field.



Using RISSIntel in the RISS Mobile App, authorized users can search and submit records, review results, and connect with other officers who may have additional information about the subject.

Security Without Compromise

As with every RISS resource, security is paramount, and the mobile app was engineered so that convenience never comes at the expense of protection. User authentication is required, and multiple layers of security work together to safeguard the app's integrity. During setup, users select from two-factor authentication options such as a one-time passcode or using an authenticator app.

The app is also built to leave no trace of sensitive data on the device once it is closed—a design choice aligned with FBI Criminal Justice Information Services (CJIS) and RISSNET security policies. That principle prohibits screenshots within the app; a captured image would store criminal justice data on the device, potentially exposing it to discovery and turning the phone itself into evidence.

Who Can Use It, and How to Get Started

Access is available to authorized personnel; a user must be from a RISS member agency, hold a RISSNET account, and have mobile app permissions assigned by their in-region RISS Center. Because the app connects to criminal intelligence and officer safety systems, users must also complete 28 CFR Part 23 training to access RISSIntel and RISSafe training to submit operations. The app supports iOS 16.4 or newer and Android 12.0 or newer, and international use is prohibited outside the United States, with the exception of Canada.

The two platforms are functionally identical, and future updates are planned to roll out to both platforms simultaneously.

Downloading is straightforward. Android users can find the app in the Google Play Store, and iOS users in the Apple App Store, by searching for "RISS" (quotation marks help narrow the results). Agencies and officers with questions are encouraged to contact their in-region RISS Center. Additional information, along with promotional and training videos, is available at www.riss.net/mobile-app.

For officers who have long relied on RISS from behind a desk, the message is simple: the same secure, trusted resources now travel with you.



Download the App from the **Google Play Store** by searching for RISS, using the pictured QR code or visiting <https://play.google.com/store/apps/details?id=net.riss.rissmobile>



Download the App from the **Apple App Store** by searching for RISS or visiting <https://apple.co/42e10r2> or using the pictured QR code.

Success Stories

Narcotics: A Member Agency had identified two individuals involved in the sale of narcotics in the area. Through the utilization of a pole cam offered by NESPIN, the Drug Task Force was able to monitor the residence of these individuals and secure a search warrant for the property which led to the arrest of 3 subjects for drug-related offenses.

Burglary and Larceny: A member Agency investigated several burglaries and thefts from multiple storage units in their town. While using RISSProp detectives were able to locate a guitar that had been stolen during one of the storage unit burglaries. The guitar was recovered and a suspect was identified. Further information found that the suspect's girlfriend who resided out of state was the one committing the burglaries. The arrest warrant for multiple burglaries was granted for her arrest.

Larceny: A Member Agency received a report of the theft of a catalytic converter from a motor vehicle. The catalytic converter had been maliciously cut off resulting in severe damage to the vehicle. The Detective developed a suspect and seized his cellular phone with a search warrant. The device was submitted to the NESPIN Digital Forensics Unit where the contents were examined. The examination resulted in the identification of other coconspirators and a fence that purchased the stolen catalytic converter. Three suspects plead guilty to the charges.

Larceny: A Member Agency received a call from a citizen reporting that his cellular phone had been stolen while he was visiting a casino the Rhode Island. The citizen reported that was using a locating feature and determined that his device was currently located in the lobby of a retailer in town. The Detective queried RISSProp and located the device being sold to an electronic recycling company with a kiosk located in the retailer's lobby. The investigators responded to the kiosk and were able to successfully recover the stolen device. A suspect was identified through the RISSProp transaction data, the prosecution is being prepared.

Aggravated Assault with Firearm: A member Agency contacted NESPIN analytical staff to analyze several data sources including call detail records, device extraction data, and surveillance video, obtained with regard to a gang-related shooting investigation that resulted in three people being shot and one of them being permanently paralyzed. NESPIN's analytical staff was able to collate the sources of data into an animated timeline showing the movement of the suspects throughout the city, and ultimately were able to link the suspects' devices to the surveillance video that captured the shooting. Due in part to the strength of the presentation when it was shown to the defendants, a plea deal of 18-20 years in prison was reached.

Bank Fraud: During the course of a bank fraud investigation, and after determining the identification of the suspect, an investigator with a Member Agency searched the BOLOs and bulletins posted on the NESPIN homepage to determine whether any other agencies had reported similar incidents involving the same suspect. During the search, the investigator located a recently posted bulletin from Rhode Island that contained intelligence information and a photograph of a female suspect. The investigator recognized the individual in the photograph as the same suspect involved. The investigators exchanged information, including the confirmed identity of the suspect. As a direct result of this timely information sharing through the NESPIN homepage, multiple law enforcement agencies were able to identify the suspect and obtain arrest warrants, significantly advancing their respective investigations. Charges are pending the apprehension of the suspect in several jurisdictions.

Breaking and Entering: A Member Agency, upon identifying and arresting a suspect in a breaking and entering case, posted information on a regional detective sharing platform.

Upon reading this information, the area NESPIN Law Enforcement Coordinator received permission to create a RISSIntel entry on behalf of the detective. A few days later, the detective received an email from a NESPIN Criminal Intelligence Specialist advising a RISSIntel "hit" on the record had occurred. Both investigators then collaborated in the sharing of additional intelligence information regarding the suspect, resulting in additional charges being filed.

Extortion/Fraud: A Member Agency requested the assistance of NESPIN analytical staff with an investigation in which a victim was targeted and extorted for money after posting photographs online. NESPIN's analytical staff reviewed the case and provided a detailed summary and analysis of the cryptocurrency transactions made by the victim, which resulted in the combined seizure and recovery of over \$16,000.

Fraud/Crimes Against Elderly: A Member Agency contacted NESPIN analytical staff after a resident reported that they sent \$12,500 through a cryptocurrency ATM under false pretenses. NESPIN staff was able to conduct a trace of the victim's funds, which yielded two suspects after tracing the cryptocurrency back into the traditional banking system. As a result, charges were filed against the two suspects for receiving stolen property.

Fraud: A Member Agency requested assistance of NESPIN analytical staff with a Fraud investigation in which the victim lost \$540,000. The victim was contacted by a "fellow alumni" from a university in China, who convinced him to invest in Cryptocurrency. NESPIN analytical staff reviewed the case and conducted an analysis of the transactions made by the victim. As a result of the analysis, investigators were able to find and seize approximately \$1.7 million in cryptocurrency, among which were funds that could be traced to the victim in this case, along with that of several other victims. The United States Secret Service and the a United States Attorney's Office have successfully fought to have the victim fully reimbursed. Prosecution is ongoing.

A final thought.

NESPIN has been in operation for more than 45 years. We have a myriad of services that support your work and help secure successful resolutions. Information sharing, equipment loans, digital forensics, training, event/target/currency deconfliction, analytical and criminal investigative support are what we do. I'm confident we can help you and remain just a call away.

Please remain healthy, safe and enjoy the Summer.



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SCHOOL SECURITY INSIGHTS FOR LAW ENFORCEMENT

Before the Call Comes In Strengthening the Partnership Between Law Enforcement and Schools

Michael Gagnon, President & CEO - Smart Security Partners, LLC
Prepared for consideration by the Massachusetts Chiefs of Police Association

A Shared Responsibility

When a serious incident occurs at a school, law enforcement is expected to respond immediately and effectively. Yet many of the conditions that influence that response were established months or years earlier: how the building is configured, how doors are controlled, where visitors enter, what information responders have, how school personnel communicate, and whether the agencies involved have practiced together.

That is why school security is best viewed as a shared, ongoing process rather than a collection of products or a project that is ever completely finished. Cameras, access control, emergency notification systems, visitor management, locks, and other technologies all have an important role. But technology performs best when it supports a well-understood operational plan.

For police departments and school districts, the most productive work often takes place before there is an emergency call. Established and fully defined Memorandum of Understanding (MOU), regular communication, building familiarity, coordinated planning, and periodic review allow both sides to identify issues while there is time to address them thoughtfully.

Know the Environment Before It Becomes an Incident Scene

Police officers routinely become familiar with businesses, public buildings, transportation routes, and other locations in their communities. Schools deserve the same level of familiarity, particularly because they are complex environments with large populations, multiple entrances, changing schedules, after-hours activities, and facilities that may have been modified many times over the years.

A school walk-through should be more than a tour. It is an opportunity for school administrators, facilities staff, police, fire, and security personnel to look at the building from a common operational perspective. Which doors are normally used? Which are emergency exits? How are doors identified from the exterior and interior? Can responders enter quickly if the main entrance is inaccessible? Are there areas where radio communications are unreliable? Where is the reunification area? Where is the designated Incident Command area? Where are utility shutoffs, fire department connections, mechanical spaces, and other critical infrastructure?

The answers do not need to reside in one person's memory. They should be incorporated into current plans and responder information that can be accessed when needed.

Look at How the School Actually Operates

One of the most important lessons in security assessment work is that the building on the drawing and the building in operation can be two different things.

A main entrance may have been designed to route every visitor through a controlled reception area, but staff may prop a secondary door during arrival. A delivery procedure may look sound on paper, while actual deliveries occur at several locations. A door intended to remain locked may be routinely opened for convenience. A community program may use part of the building after hours in a way that changes the original access-control concept.

These conditions are not necessarily evidence that people are doing something wrong. Schools are active environments, and operational practices evolve. The purpose of periodic review is to understand those practices, determine whether security measures still support them and if so, discuss how to mitigate them.

This is also where law enforcement can contribute a valuable perspective. School administrators understand education and daily school operations; police understand emergency response and human behavior under stressful conditions. When those perspectives are considered together, vulnerabilities that might otherwise be overlooked become easier to identify.

The Secure Entrance Is a Process, Not Just a Vestibule

Consider the schools vestibules, what happens from the moment an unfamiliar person approaches the building.

Can staff observe the approach? Is the visitor directed to the correct entrance? How is the person identified before entry? Who controls the door? Once admitted, can the visitor move directly into the school, or are they directed into a controlled reception area? How is identification verified? How is the visitor authorized, badged, monitored, and eventually checked out? A weakness anywhere in that sequence can undermine an otherwise well-designed entrance.

Police involvement in entrance security discussions can be particularly useful because officers may see issues from a different perspective. The objective is not for police to design the school, but to ensure that architectural, technological, and operational decisions support both everyday security and emergency response.

Plan for the Events That Follow the Initial Response

Emergency planning naturally concentrates on the first critical minutes of an incident. Those minutes matter enormously, but the operational challenges do not end when the immediate threat is addressed.

Where will incident command be established? Where will responding agencies stage? How will incoming parents be kept away from emergency operations? Where will students and staff be reunified? How will accountability be maintained? Who is responsible for communicating with families? What happens if the planned reunification location is itself unavailable?

Reunification deserves particular attention because it can become one of the largest logistical challenges a school community faces and it is a major part of the emergency response that often doesn't get the attention, or the review it needs to be successful. Hundreds of parents may arrive quickly, information may be incomplete, traffic can overwhelm surrounding roads, and social media can spread inaccurate information faster than official communications.

These are problems that are much easier to work through around a conference table or during an exercise than during an actual emergency.

Keep Responder Information Current and Usable

Schools increasingly have access to detailed floor plans, digital mapping, camera systems, access-control data, and emergency notification platforms. The amount of available information can be impressive. The more important question is whether responders can obtain the right information quickly and understand it under pressure.

Floor plans should reflect current conditions. Door numbers should correspond to the physical building. Important rooms and access points should be clearly identified. If police have access to camera feeds or other systems during an emergency, the process for obtaining that access should be understood before it is needed.

Information also has to be maintained. Renovations occur, rooms change function, doors are added or removed, and technology is replaced. A response plan created several years ago may contain details that are no longer accurate.

The goal is not to provide responders with more information. It is to provide them with accurate, useful information that supports decision-making.

Security Is a Process, Not a Project

Perhaps the most important point is that school security is never truly finished, it's always evolving.

A district can complete an assessment, install new systems, renovate entrances, update emergency plans, and conduct training, but conditions will continue to change. Administrators and staff turnover. Buildings are renovated. New technologies are introduced. Community programs expand. Threats evolve. The

student safety and medical needs may have changed. Procedures that worked well several years ago may no longer reflect how a school operates today.

A mature security program therefore includes a cycle of assessment, improvement, training, testing, and reassessment.

Law enforcement does not need to own that process, nor should school administrators expect police departments to serve as their security consultants. The strongest model is collaborative: each participant contributes the expertise and perspective appropriate to their role, and the district maintains responsibility for an organized, sustainable security program.

A Practical 60-Day Partnership Check

For departments and school districts looking for a practical place to begin, the next two months can be used to confirm several fundamentals:

1. Conduct or schedule a joint walk-through of each school with appropriate school, police, fire, facilities, and security representatives.
 2. Verify that emergency responder plans, security plans, floor plans, door numbering, access information, and key contacts are current.
 3. Review how visitor entry, deliveries, arrival and dismissal, after-hours and community use actually operate, not simply how they are described in policy.
 4. Confirm incident command, staging, evacuation, and reunification concepts and identify alternatives if primary locations cannot be used.
 5. Identify the most important unresolved security issues and establish who is responsible for addressing and tracking each one. Ask the school to set up follow up discussions as needed.
- These actions are "blocking and tackling" basic elements of maintaining a working relationship between the people responsible for educating students and the people who may be called upon to protect them.

Before the Call Comes In

The relationship between a police department and its schools should not begin when the dispatcher sends the call.

The strongest partnerships are built during ordinary days: walking the buildings, asking questions, reviewing plans, understanding how the schools operate, exercising together, and addressing vulnerabilities before they become part of an emergency.

Finally, The real measure of a security program is not simply how people respond during their hardest day but how deliberately they prepared for that day before it arrived.

ABOUT THE AUTHOR

Michael Gagnon is President and CEO of Smart Security Partners, LLC (SSP), an independent, vendor-neutral security consulting firm and Service-Disabled Veteran-Owned Small Business (SDVOSB). SSP provides physical security and CPTED assessments, security design consulting, technology assessments, emergency preparedness support, and security program development for schools and other organizations nationally.



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Date	Course Title	Location	Time	Cost
September 14 – 17, 2026	4 Day Field Training Officer Program	Millis Police Department	9:00AM - 3:00PM	\$499
September 15 & 16, 2026	Breaking and Entering Evidence and Recovery (BEER)	Lakeville Police Department	8:30AM - 4:30PM	\$459
September 16, 2026	Juvenile Justice: From A to Z	Mansfield Police Department	9:00AM - 3:00PM	\$199
September 18, 2026	Communicating for Success in Multi-Generational Policing	Hingham Police Department	9:00AM - 3:00PM	\$199
September 21 – 25, 2026	Basic Public Records <i>Re-Certification</i>	On Demand	9:00AM - 3:00PM	\$199
September 21 – October 9, 2026	Basic Public Records Law Certification for Massachusetts Public Safety Personnel	Webinar	9:00AM - 3:00PM	\$599/\$679
September 22, 2026	Public Records for Massachusetts Public Safety Personnel	Mansfield Police Department	9:00AM - 3:00PM	\$219
September 22, 2026	FTO Refresher & Liability	Methuen Police Department	9:00AM - 3:00PM	\$199
September 22 – 24, 2026	Dust 'n Bust	Lakeville Police Department	8:30AM – 4:30PM	\$400
September 23, 2026	Basic Police Supervision *new*	Grafton Police Department	8:30AM – 2:30PM	\$249
September 23, 2026	AdminEdge: Legal training for the people who run the front office.	On-Demand	9:00AM - 3:00PM	\$699
September 24, 2026	Advanced Massachusetts Motor Vehicle Law	Hingham Police Department	9:00AM - 3:00PM	\$299
September 24, 2026	The Officer in Charge	Mansfield Police Department	9:00AM - 3:00PM	\$199
September 25, 2026	Crisis De-escalation and Street Negotiating	Hingham Police Department	9:00AM - 3:00PM	\$199
September 28 & 29, 2026	Breaking and Entering Evidence and Recovery (BEER)	Hopkinton Police Department	8:30AM - 4:30PM	\$459
September 28 – October 2, 2026	New Sergeants Program: Mastering Leadership in Law Enforcement	Bellingham Police Department	8:30AM – 2:30PM	\$699