

MAY 2020 | VOLUME 2

THE OFFICE

The Official Newsletter of MassCOP

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A MESSAGE FROM THE PRESIDENT

By Scott Hovsepian

Dear Brothers and Sisters:

As we continue to navigate our way through this unprecedented period, we continue to thank the tireless and fearless work of our first responders, police officers, dispatchers, firefighters and all of our medical professionals.

Know that I, John, Bobby, and the entire Executive Board continue to work on your behalf with our State and local legislators to ensure that all of you are protected in every possible way!

As always, stay safe out there.

In solidarity,

Scott A. Hovsepian

A MESSAGE FROM THE SECRETARY/TREASURER:

Welcome to Volume 2 of our Newsletter!

This is your place for the latest MassCOP information regarding our office, memberships, life insurance, dues update and more. If there is anything you would like to see added to our next installment, or if you have any questions regarding the content of this newsletter, please contact the office.

Bobby Murphy, Secretary/Treasurer

CREATIVE CONTRACT STRUCTURING AMIDST COVID-19

By Andrea Warpula

As we find ourselves dealing with all of the complexities of navigating the uncharted waters surrounding COVID-19, it has become increasingly commonplace to see a lot of the little things being let go. Things that aren't as pressing, like contract negotiations. Given all of the pressures being placed onto administrators and police officers to try and protect our health and the health of our respective communities, it is not surprising that bargaining a contract has had to take a back seat.

In my position as an Area Vice-President, I haven't encountered any of the departments in my area in this predicament, with the exception of my own. My Local has been out of contract since June of 2019, despite repeated efforts to bring the Town to the table. One of the biggest challenges our Union has faced has been an ongoing issue with the Town Manager's blatant failure to even respond to any of our requests. This ongoing lack of communication began long before the onslaught of issues surrounding COVID-19. Once the reality of this virus hit, it became readily apparent that we were not going to be able to engage in any type of bargaining in the traditional sense, so we had to get creative.

After much contemplation and consultation with members of the bargaining unit, we were able to obtain an informal majority vote of the body to agree to a two (2) year contract extension, with only an increase in percentages for COLA (Cost of Living Adjustment). Given the strength of our previous collective bargaining agreement, we are able to withstand an extension with no changes to the existing language. While the Union and Town both had things that they wanted to bargain, the likelihood of that happening was slim. It seemed to make more sense to offer up a percentage increase that we knew was already budgeted and afforded to the police dispatchers and other bargaining units in town.

Although the Memorandum of Agreement outlining this extension has not yet been ratified, I felt that this was an important topic to discuss in this edition of our newsletter for all of you who are either out of contract or due to expire this year. Don't be afraid to think outside of the box to achieve objectives that might otherwise not be possible given the times we are in. With budget cuts to local aid looming and possible layoffs in our future, it is important to try and close the gap on these contract issues wherever possible. By offering feasible opportunities to achieve this and similar objectives is of mutual benefit to the Union and the Town. Stay safe, my brothers and sisters.

In Solidarity,

Andrea Warpula, Area 6 VP

CONTINUING THE COUNTDOWN

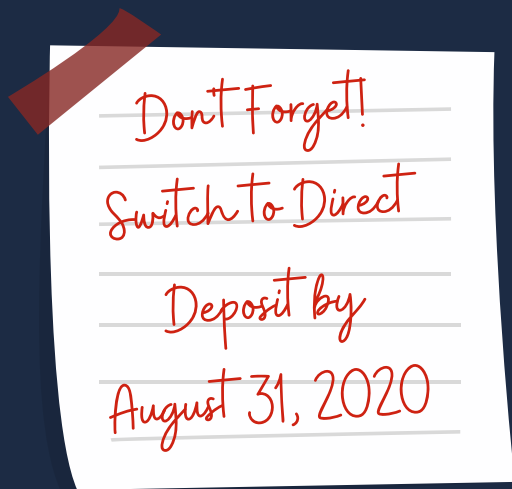
By Julia Pisegna

We are now 100 days away MassCOP's Direct Deposit!

As of August 31st, all Locals will be required to be on direct deposit for the payment of their dues.

Account information for direct deposit can be found [HERE](#).

If I can be of any assistance to you in setting up direct deposit, please do not hesitate to contact me at jmp@masscop.org.



LIFE INSURANCE PROGRAM

By Lauren Willand

A major accomplishment for the Massachusetts Coalition of Police during this year has been the successful creation of our new insurance benefit program. We are extremely excited to offer this benefit to each member in good standing. The Accidental Death & Dismemberment Benefit issues \$25,000 to the member's beneficiary if the member is killed in the line of duty or die as a result of an accident, on or off the job.

To learn more about these benefits and the options available to you, please email Lauren at lw@masscop.org. Keep an eye out for a hard copy of our insurance brochures that will be mailed to each Local in June.

MODEL COVID-19 POLICY AND PROCEDURE

By James Racine, Esq.

I. PURPOSE:

To outline steps and procedures the [XYZ] Police Department (Department) will follow in response to the COVID-19 pandemic. This special order shall be in effect upon its issuance.

II. INFECTION:

The Department will adopt the following precautionary measures to limit spread of the virus.

A. Non-Essential Functions: Limit non-essential functions, which may include, but is not limited to:

1. Suspend processing of permits which are not essential to public safety.
2. Suspend public fingerprinting services.
3. Postpone events related to recruiting and background investigations, including but not limited to, physical agility testing, written testing, and interviews.

B. Roll Call: Suspend roll calls.

C. Contact with the Public: Officers should use care when dealing with members of the public, whether on radio calls or foot patrols. Use social distancing to minimize close contact. Do not shake hands, and avoid people who are coughing or sneezing. Avoid large groups if possible. "Walk and talk" programs (programs involving officers exiting their cars and walking the streets to meet as many people as they can between calls for service) will be suspended.

D. Handling of Calls for Service:

1. Aside from extraordinary circumstances., the following calls for service should be handled by telephone:
 - a. Non-emergency larceny complaints
 - b. All identity theft complaints
 - c. Burglary complaints with undetermined time of occurrence, and a determination that the suspect is no longer on scene.
 - d. Motor vehicle accidents where there are no injuries.
 - e. Lost or found property complaints.
 - f. Auto theft complaints, so long as the theft did not involve attempted or actual violence, or the threat thereof.
 - g. Property damage complaints.
2. After making initial contact with the complainant by phone, the responding officer (upon consultation with his/her supervisor, if necessary) will make a determination as to whether or not they need to respond to the scene.
3. Responding officers should request that complainants send them supporting documentation for their complaints (insurance cards, photos of property damage, surveillance video, etc.) via their department email.
4. Whenever possible, officers should request to speak with complainants, witnesses, and suspects outdoors and/or in open areas where surface contamination is limited and social distancing can be achieved.

Thank You to Our Dispatchers

MODEL COVID-19 POLICY AND PROCEDURE

Continued

5. The Department will not respond to:

- a. Noise complaints.
- b. Non-criminal community service calls.
- c. Civil matters.
- d. Private property motor vehicle accidents.
- e. Unoccupied abandoned or suspicious vehicle, so long as they do not present a risk to public safety.
- f. Audible or silent alarms where no key holder is responding and there have been three or more false alarms in the preceding thirty days.

E. Response to Medical Emergencies: For medical calls involving patients suspected of having flu-like symptoms, an officer will be dispatched to the location and stage for the fire department and Emergency Medical Services (EMS). For these calls, the officer's function is to support fire and EMS personnel. If the officer must enter the scene to save a life, appropriate personal protective equipment (PPE) shall be donned.

F. Minimize Arrests: Reduce arrests for non-violent crimes.

G. Time in the Station: Employees should not congregate in groups in the station. When employees are in contact with one another, they should use social distancing (standing at a distance of six feet or so).

H. Hand Washing: Employees should wash their hands with warm soapy water, for at least 20 seconds, after each interaction with the public whenever possible.

I. Routine Cleaning: Employees should routinely clean and disinfect vehicles and all frequently touched surfaces in the workplace, such as workstations, keyboards, telephones, handrails, doorknobs, and vehicle keys.

J. Training: All training is suspended until further notice, with the exception of training on how to properly use personal protective equipment.

K. Dispatch: The Dispatch window will remain secure when dealing with the public. Dispatchers will be segregated from officers, who have more extensive direct contact with the public.

III. PERSONAL PROTECTIVE EQUIPMENT:

Each officer's vehicle must be stocked with the minimum PPE required by the Centers for Disease Control (CDC):

- A single pair of disposable examination gloves,
- Disposable isolation gown or single-use/disposable coveralls,
- Any NIOSH-approved particulate respirator (i.e., N-95 or higher-level respirator); Facemasks are an acceptable alternative until the supply chain is restored, and
- Eye protection (i.e., goggles or disposable face shield that fully covers the front and sides of the face)

Officers will be provided training on proper use of PPE such as wear, removal, and disposal. Only trained personnel wearing appropriate PPE should have contact with individuals who have or may have COVID-19.

MODEL COVID-19 POLICY AND PROCEDURE

Continued

Officers will be provided adequate supply of PPE to last through the outbreak.

Officers and dispatchers will also be provided hand sanitizer and cleaning supplies so that they can maintain proper sanitation during their shifts.

IV. EXPOSURE PROTOCOLS:

Guidance issued by the Centers for Disease Control (CDC) and Massachusetts Department of Public Health (DPH) may continue to evolve as the COVID-19 pandemic progresses. As a result, the Department will continue to consult with these resources and other trusted medical sources to establish exposure protocols.

As of May 15, 2020, CDC and DPH guidance provide the following:

A. Definition of "Close Contact" with a Person who has COVID-19:

1. being within approximately 6 feet of a COVID-19 case for a prolonged period of time (10-15 minutes); or
2. having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on)

B. If Officer Comes into Close Contact with a Person who has COVID-19 but is not Experiencing Symptoms of COVID-19: The Officer must notify his supervisor of the exposure, but the Officer need not be sent home if he is not experiencing symptoms. However, the Officer should monitor his symptoms and notify his supervisor if COVID-19 symptoms arise.

C. If Officer has Tested Positive for COVID-19 or is Experiencing Symptoms of COVID-19: The officer must notify their supervisor and the officer will be sent home. The officer can return to work under the following conditions:

1. if the officer is symptomatic:

a. Symptom-based strategy

- i. At least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications and
- ii. Improvement in respiratory symptoms (e.g., cough, shortness of breath); and
- iii. At least 10 days have passed since symptoms first appeared

b. Test-based strategy

- i. Resolution of fever without the use of fever-reducing medications and
- ii. Improvement in respiratory symptoms (e.g., cough, shortness of breath); and
- iii. Negative results of two consecutive respiratory specimens collected ≥ 24 hours apart.

Thank You to Our Officers

MODEL COVID-19 POLICY AND PROCEDURE

Continued

2. If the officer has tested positive for COVID-19 but is not symptomatic

- a. Time-based strategy: At least 10 days have passed since the date of their first positive COVID-19 diagnostic test assuming they have not subsequently developed symptoms since their positive test;
- b. Test-based strategy: Negative results of two consecutive respiratory specimens collected ≥ 24 hours apart.

D. Notification of Possible Exposure to Other Officers:

If an officer has tested positive for COVID-19 or is showing symptoms of COVID-19, the Department will notify those officers who had close contact with him that they came into contact with an individual who tested positive for COVID-19 or is showing symptoms of COVID-19, but will not disclose the officer's name or other information that might identify him.

E. Transportation of Persons with COVID-19: Individuals who are displaying symptoms consistent with COVID-19 or who have tested positive for COVID-19 should not simply be put in a police car. A trained EMS should assess and transport persons believed to have COVID-19 to a healthcare facility.

F. Disinfection in the Event of Exposure: The Department will have the exposed officer's substation or other workspace and vehicle disinfected.

V. LEAVE DUE TO COVID-19:

A. If Officer has Contracted COVID-19 (whether by physician's diagnosis based on symptoms, presumptive positive test, or laboratory-confirmed diagnosis): The Officer's condition will be presumed to be work-related and he will be placed on IOD leave for the duration of his incapacity to work.

B. If Officer is Quarantined to Limit the Spread of COVID-19 at the Instruction of a Health Care Provider, Government Official, or the Department: The Officer will be placed on paid administrative leave for the duration of the quarantine. He will not be required to use any accrued leave to cover the absence.

C. Family leave: If the City has opted out of the Families First Coronavirus Response Act (FFCRA), the Department may offer the following leave to allow officers to care for family members who have COVID-19, are under a quarantine related to COVID-19, or require care because of school closure related to COVID-19:

1. The officer may remain out of work and be granted up to 10 days (two weeks) of paid administrative leave. If the officer needs to be out of work beyond the 10-day period, then he may use any paid leave available to them in their individual paid leave time bank.

D. Medical Documentation: The Department will not require a COVID-19 test result or a health care provider's note to validate their illness, qualify for sick leave, or to return to work.

Thank You For All You Do!

MODEL COVID-19 POLICY AND PROCEDURE

Continued

E. Relaxation of Caps on Regular Leave Accrual: If the Department cancels all pre-approved vacations and leave, the Department will waive any caps on regular leave accrual imposed by the parties' collective bargaining agreement.

F. Temporary Lodging: If feasible, the Department will arrange for temporary lodging for officers who are on leave with COVID-19 or COVID-19 symptoms in order to avoid risking infection to family members. At the very least, temporary lodging will be provided for officers who have family members who are in vulnerable populations (e.g., elderly, underlying medical conditions).

a. It is established that the [XYZ hotel] will be the locations utilized for the lodging of personnel.

VI. PRE AND POST-SHIFT SCREENING:

The Department may choose to conduct pre and post-shift screening by taking employees' temperatures and by verbally asking if they have a fever and other symptoms associated with COVID-19.

- A. The CDC considers a person to have a fever if he has a measured temperature of 100.4 or greater.
- B. DPH recommends that a non-contact thermometer be used or thermometers be disinfected between uses.
- C. If Officer is sent home for having a fever and/or experiencing other COVID-19 symptoms, he will be placed on paid administrative leave and will not return to work until the conditions set forth above are met.
- D. The Department will maintain all information about an employee's health obtained by pre and post-shift screening as a confidential medical record.

E. EXPEDITED TESTING:

The Department will arrange drive-thru/drop-in COVID-19 testing for officers who are showing symptoms of COVID-19 or are in a high-risk, vulnerable population. Ideally, the testing will provide results in hours rather than days.

The Department will arrange drive-thru/drop-in COVID-19 testing for officers who are showing symptoms of COVID-19 or are in a high-risk, vulnerable population. Ideally, the testing will provide results in hours rather than days.

It is established that the [XYZ facility] will be the facility utilized for drive-thru/drop-in COVID-19 testing.

F. MEDICAL PROFESSIONAL CONTACT:

Employees with questions about the likelihood of exposure to COVID-19 and how to stay safe at work can contact [medical provider] at XXXXX.

G. COLLECTIVE BARGAINING DURING THE COVID-19 PANDEMIC:

A. Bargaining Rights and Obligations: During the pandemic, the parties' bargaining obligations remain in effect. Therefore, the parties must negotiate in good faith with respect to mandatory subjects of bargaining, such as wages, hours, standards of productivity and performance, and any other terms and conditions of employment.

To avoid unnecessary litigation, the Department will provide the Union advance notice of any proposed changes and all relevant information about proposed changes.

LEGAL REQUEST TRACKING FORM

By Tim King, Esq.

The Massachusetts Coalition of Police has been upgrading our Legal Request Tracking System over the past few years. Starting late last year, we initiated the use of the Legal Tracking Online Submission Form. The purpose was to increase the amount of information received, to present to the attorneys working on the matter, in order to ensure a quicker and more efficient response to the request.

In order to receive legal service, you **MUST** notify your Area VP in advance. The Area VP will send you a link via email to the Legal Request Online Submission Form. The link changes, so if you simply use an old email to attempt a request, it will likely not be received and will cause a delay in response.

Once you receive the link from the Area VP, click on it and it will take you to the Legal Request Online Submission Form. Complete it as instructed by the screenshot discussed below and submit. An attorney will be assigned to your issue as quickly as possible.

Please do not contact the law firm directly. We understand that many of you have relationships with certain firm attorneys or may be working on a current issue with them, but it is imperative that any new issues be presented through your Area VP to ensure proper processing and service.

The program has been a great success, but we have experienced some small issues that we would like to address. We have included a screenshot of the Legal Request Form so everyone can see what it looks like. We have also added explanations in RED that show you the correct way to complete the form. Please review this document to ensure we are getting consistent information with each submission.

We appreciate everyone's participation in the Legal Request Tracking System. It is through your participation that we can improve and provide the very best legal service to our members.

Click [HERE](#) to view an annotated version of our Legal Request Form. Open with your default PDF viewer.

Thank You for Reading!

If you have any questions or comments about the content in this installment of our newsletter, please contact Lauren at lw@masscop.org



"The only Union for Law Enforcement Officers"

Scott A. Hovsepian, President

John E. Nelson, First Vice President

Robert W. Murphy, Secretary/Treasurer

May 14, 2020

Joint Committee on the Judiciary

State House

Room 136

Boston, MA 02133

Written Testimony in OPPOSITION to House Bill 4652: An Act Regarding Decarceration and COVID-19

Dear Chairperson Eldridge, Chairperson Cronin, and members of the Committee,

The Massachusetts Coalition of Police represents over 4300 police officers and police dispatchers across the Commonwealth of Massachusetts. These hard-working men and women work day in and day out protecting your constituents from becoming victims of crime. If someone does fall victim to crime, it doesn't matter whether it is a violent attack or a minor property crime, the victim always feel violated. Those effects can be long lasting. While it may come as no shock to you that the police are opposed to releasing criminals who are paying their debt to society, much of the reason for our opposition is due to the recidivism that is going to occur upon their release and the future victims that will result.

The reasons given to release these individuals relate to the spread of the disease in corrections facilities. Is it to be believed that these same individuals are going to follow government guidelines on social distancing and self-quarantine? These same individuals who have issues following statutory law as well as parole and probation restrictions? Should they be released to infect people outside of the corrections facilities if they happen to contract it while released?

This knee-jerk reaction to this temporary health crisis is going to have long-lasting negative impacts on our communities for which the benefit certainly does not outweigh the cost. Just because someone might not qualify for a dangerousness hearing due to their current charges, does not mean they are not dangerous individuals and a continuing threat to our communities. That seems to be the bar for most of the proposed release in this bill and it is not a sufficient bar to protect your constituents from further victimization.

The classifications for release eligibility are arbitrary and capricious. Just because someone cannot afford a cash bail of \$10,000 does not make them any less of a menace and threat to your constituents. Just because someone is 50 years old or over does not make them any less of a menace or threat to your constituents. Just because someone possesses one of the comorbidity factors from the CDC guidelines does not make them any less of a menace or threat to your constituents. People who have not been able to pay fines or fees, or those who are incarcerated for violations of probation or parole have proven their inability to abide by the rules of society. There has never been a more critical time for our fellow citizens to follow the rules that have been set by the government in order to protect our law-abiding citizens from this virus.

The resources to be expended to classify these incarcerated individuals as to their eligibility would be much better spent ensuring our sheriffs and corrections officials are provided with the resources they need to properly maintain a healthy environment in their facilities.

The Massachusetts Coalition of Police respectfully requests that this honorable committee vote this bill UNFAVORABLE and end this proposed disaster waiting to happen.

Sincerely,

John Nelson, Vice President

Chairman of Legislative Affairs

Massachusetts Coalition of Police

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CRITICAL INCIDENT REPORTING SYSTEM:

(508) 581-9336

***Follow recorded instructions for immediate
response**

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