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# BadgeQuest Report

Lynnfield

Police Department

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September 11, 2009

## INTRODUCTION

The Board of Selectmen selected BadgeQuest to review the operational and administrative practices and functions within the Lynnfield Police Department and make recommendations for improvement. BadgeQuest is a public safety consulting firm specializing in police management and the selection of police chiefs.

Additionally, BadgeQuest was asked to specify the most professional method of selecting the next permanent Police Chief with the requisite knowledge, skills, abilities and personal characteristics to best meet the needs of the Lynnfield Police Department and community.

What follows are recommendations for improvement of certain practices within the department and a recommendation for the method to select the next permanent Police Chief.

## THE CHARACTER OF MANGEMENT STUDIES

BadgeQuest has attempted to present a balanced report, which highlights successful activities, as well as suggested areas for improvement within the police department. The character of management studies calls attention to conditions, procedures and practices which should and can be improved and corrected. Due to focusing on needed improvements, this tends to skew a report's emphasis toward the negative.

We urge readers to understand this and to appreciate that management studies are undertaken to be constructive. Readers should value the enlightened approach of Town Officials in opening the Department to the scrutiny of professional evaluators. This outreach for professional review demonstrates the Town's desire for the best police services available within budgetary limitations.

## STUDY METHODS

Direct Interviews – The direct interview process involved over twenty separate interview sessions (several individuals were interviewed on multiple occasions) with members of the police department, and with elected and appointed officials. Each person interviewed was assured of the anonymity and confidentiality of their statements and comments. It appeared that every person interviewed provided frank and candid feedback.

Police Department Questionnaire – A Confidential Questionnaire was made available to department members. A synopsis of the responses is included in this report.

Document Review – A review was conducted of numerous police department documents and records including policies, procedures, rules, regulations, budgets, staffing scheduling, and internal communications.

Facilities and Equipment – A physical inspection was conducted of the police facility and equipment.

## STUDY TEAM

This study was conducted by Police Chief Stephen H. Unsworth (retired) (biography attached), and assisted by Chief Edward Drew (retired).

## ACKNOWLEDGEMENTS

Our ability to conduct this study was facilitated and enhanced by the cooperation of many individuals. There existed in those we encountered a genuine desire for improvement of the Police Department.

## DEPARTMENT OVERVIEW

The Lynnfield Police Department is a full-time law enforcement agency. The Department serves as the emergency 911 call center. Additionally, the Department maintains animal control services.

### Police Department Personnel

- One (1) Police Chief
- One (1) Captain (currently vacant)
- Four (4) Sergeants) (1 Of the 4 Sergeant positions is currently vacant)
- Thirteen (13) Police Officers
- Four (4) Full-time Dispatchers and One Part-time

## HISTORY

For several years, a contentious relationship existed between the former Chief of Police and certain members of the Board of Selectmen. Because the purpose of this study is to focus on the future needs of the Department, little would be gained by dwelling on the causes of this poor relationship. However, lessons must be learned from past difficulties.

We believe that the proper relationship between a Police Chief and Board of Selectmen must be based on mutual respect and an understanding of respective roles.

A Police Chief must be responsive to the needs of the community. These needs are frequently conveyed by the elected Board members in broad policy decisions. The Police Chief should be responsive to the needs so conveyed. The members of the Board of Selectmen should consider the Police Chief as their expert and allow him or her considerable latitude in implementing policy.

## **CIVIL SERVICE RECOMMENDATION**

Lynnfield Police Chief Paul Romano retired on July 31, 2009. The Police Chief position is currently a Civil Service position. Before the most effective means of selecting the next Police Chief could be determined, the following areas needed to be studied.

- The current status of the Department.
- The future needs of the Department
- The knowledge, skills, abilities and personal characteristics necessary to meet the current and future needs of the Department

In addition, BadgeQuest disseminated and reviewed a confidential questionnaire made available to each member of the department.

**RECOMMENDATION** – If, and only if, adequate job protections are implemented, we strongly recommend that the position of Police Chief be removed from the constraints of Civil Service.

### **RATIONALE FOR THIS RECOMMENDATION:**

#### **Current Status:**

The Lynnfield Police Chief position is the only department head position within the Town that is subject to Civil Service. There are approximately 350 Police Chiefs in the Commonwealth, only eighty-five of these positions are Civil Service. It should be further noted that the number of Police Chief positions in Civil Service is diminishing.

#### **Candidate pool:**

Simply put, the larger the pool of candidates the better the chances are of identifying a highly qualified individual. There are currently only four department members (1 Captain and 3 Sergeants) who are currently eligible to assume the duties of Permanent Police Chief under Civil Service rules. This is an extremely small pool of candidates. If the position was open to “outside” candidates, our past experience indicates that between 70 and 100 individuals would likely apply for this position.

**Opening up the process would in no way eliminate internal candidates from consideration. Rather, it would help ensure that the very best candidate is selected for this very important position.**

The next Civil Service Written Examination is tentatively scheduled for May, 2010. Historically, the scoring and certification of the exam takes 5 to 6 months. Although the age of candidates has not been a consideration in our recommendation, the realities of the Massachusetts retirement system have been considered. If the Town decides to select the next chief by means of the Civil Service written exam process, there is a likelihood that Interim Chief Dunn will have reached mandatory retirement age before the exam scores have been certified. This effectively reduces the candidate pool to three individuals.

Per Civil Service rules, a minimum of four candidates from the next lower ranks must apply to take the promotional examination. Since there are only four candidates in Lynnfield that meet the Civil Service criteria for eligibility, if any of the four members fails to apply for the exam, the process will automatically become open to all Lynnfield Patrol Officers with one or more years experience. Further, the exam will be delayed until May, 2011. In our opinion, this is an unacceptable situation for the Town.

NOTE – Assessment Centers – An Alternative to the Written Exam

The days of selecting candidates for promotion to highly responsible positions based solely on a written examination grade is rapidly coming to a close. Police Departments and communities they serve will find that assessment centers reveal knowledge, skills, abilities, and personal characteristics that are not measured by the traditional written examination but that are so important when serving in a command position. (An Alternative to Traditional Civil Service Exams, Chief Robert J. Pomeroy (retired), Esq.)

There is an alternate to the traditional written Civil Service exam called an assessment center. This is a highly structured, objective process that is designed to measure a candidate's supervisory, administrative, interpersonal and managerial skills.

In an Assessment Center, candidates participate in a series of exercises and are evaluated on their performance in each exercise, using a series of predetermined criteria, often called competencies. Assessment Centers evaluate competencies such as leadership, planning and organizing, writing, oral communication, decision-making, persuasiveness, interpersonal relations and organizational sensitivity. The candidates performance is evaluated by independent subject matter experts.

The results of the Assessment Center, when considered along other methods of evaluation, such as the interview, employment application, and background investigation, provide a comprehensive overview of the candidates' abilities, work experience and training, and readiness to take on the responsibilities of the demanding position of Police Chief.

We recommend that the Town utilize an assessment center to select the next Police Chief whether or not the position remains in Civil Service or is removed.

In a Civil Service Assessment Center, rules require that the Town is provided with a numerical score only. However if the position is removed from Civil Service, the Town will be provided with a comprehensive report that includes both numerical scores and narrative comments regarding each candidate's scores and narrative comments regarding each candidate's performance.

### Job Qualifications:

The demands of the position of a Police Chief have increased dramatically. Most Police Chief searches for a department the size of Lynnfield's require a minimum of 15 years policing experience, 5 years of supervisory experience, a minimum rank of Lieutenant, and a Bachelor's Degree in criminal justice or a related field, with a Master's Degree preferred. Candidates with the requisite training and experience are much more likely to succeed than those who must learn through "on-the-job-training".

Many respondents in an open process greatly exceed these minimum standards. It is not uncommon for applicants to possess a Master's Degree, to have attended the FBI National Academy or other highly acclaimed administrative training, and to have attained much higher rank and responsibility than that associated with the rank of Lieutenant.

While in no way minimizing the dedication and accomplishments of the Lynnfield command staff, as a group, they fail to meet or only marginally meet the minimum standards that would be consistent with that of an open search.

### Interviews:

Each of the four candidates meeting the Civil Service eligibility criteria for the Police Chief examination was interviewed for approximately ninety minutes. The interview consisted of a series of questions posed to each candidate with additional questions pertaining to each candidate's unique background. All individuals were cooperative and forthcoming. All expressed a commitment to their profession, the Lynnfield Police Department and the community. Each demonstrated the ability to perform his current duties in a satisfactory manner. However, we are of the opinion that as a group, they do not possess the knowledge, skills, abilities and training necessary to perform the duties of Police Chief in a manner consistent with the current demands of the position.

### Interview Comments:

#### Candidate commitment and desire to be the next Lynnfield Police Chief

Individuals who have a strong desire for a position and who have demonstrated this commitment by seeking opportunities to prepare themselves by training and other means are obviously much more likely to succeed. It is essential when evaluating a pool of candidates that desire for the position as well as competence be considered. To evaluate this, each candidate was asked "*Do you want to be the next Lynnfield Police Chief, and why?*"

- Only two candidates expressed a strong desire to attain the position of Police Chief.
- One candidate would take the exam as a "courtesy" to prevent it being opened to patrolmen. (*Note: as previously indicated, if any one of the four Civil Service eligible candidates did not apply to take the examination, the examination would automatically open to the ranks of any Patrol Officer with one year of experience. It is not uncommon in such situations to find eligible candidates who apply to take a Civil Service promotional examination merely to keep the process closed.*)
- Another candidate expressed conflicted emotions but did indicate that he would participate in the selection process.

Command staff cohesiveness:

The next Lynnfield Police Chief must be able to establish a strong working relationship with, and have the respect of his/her command staff. To evaluate this, each candidate was asked “*If you were not a candidate, would you support the candidacy of any or all of the other potential candidates?*” The responses indicated there is considerable lack of cohesiveness and mutual respect among certain members of the command staff. This is a serious matter.

- One candidate responded that he could support the candidacy of two other candidates but would not support the third.
- Three candidates stated that they could support the candidacy of only one other individual.
- One candidate went so far as to state that if a certain individual was selected as the next chief, he would resign from the department.

Candidate police budget experience:

The managing of a police budget is obviously an important element of a Police Chief’s duties. The Interim Chief is the only candidate with police budget experience. The remaining three candidates have virtually no police budget experience.

Candidate experience with the development of policies and procedures:

The development of sound policies and procedures is likewise an essential element of a Police Chief’s duties. Interim Chief Dunn has some experience in the development of policies and procedures. The remaining candidates have a very limited amount of experience in this area.

Candidate experience in the disciplinary process:

The maintenance of discipline is critical to fostering an environment of integrity within a police department. Doing so within a Civil Service Department is a challenging process. Interim Chief Dunn is the only candidate with any substantial experience in the Civil Service disciplinary process.

Candidate experience in the collective bargaining process:

Several candidates have experience in contract negotiations from the labor side of the negotiating table, but little if any experience from management’s perspective.

Candidate recognition of issues pertaining to officer misconduct:

Each candidate was asked several scenario questions pertaining to officer misconduct. None of the candidates recognized all of the elements present or the full implications presented when responding to the scenarios.

Rank and commensurate experience and responsibility

One indication of a well run department is its development of members to advance and assume additional duties. The Department has done a poor job of providing management and supervisory training for its Sergeants. Only one candidate has received management training and, in this case, the officer was required to attend a portion of the training on his own time and with some personal expense involved. Ongoing training is essential to prepare new supervisors with the knowledge necessary to perform their duties in an appropriate manner.

## Candidate Profiles

- One candidate, Interim Chief Dunn, has been a member of the Department for thirty-six years. He possesses a Bachelor's Degree in Law Enforcement and holds the Civil Service rank of Captain. In our opinion, Chief Dunn is the only candidate who possesses the requisite rank, experience and history of responsibility to assume the duties of Permanent Police Chief. However, as previously mentioned, Chief Dunn will be required by law to retire in October of 2010.

The remaining candidates all hold the rank of Sergeant. The position of Sergeant, although important, is the entry level position in police management and supervision. In our opinion, these individuals are not currently prepared or qualified to assume The duties of the Lynnfield Police Chief. Although the three Sergeants appear to be Performing their current duties in a more than competent manner, they clearly lack the knowledge, skills, abilities, training and breadth of experience that is necessary or considered the norm for a Police Chief.

- One candidate has been a member of the department for twelve years and has an additional six years of experience with another law enforcement agency. He possesses a Master's Degree in Criminal Justice but has only four years experience as a Sergeant. This candidate has attended a two week police management/supervision training program. Other than this and on-the-job training, he has no management, supervisory or administrative training.
- One candidate has been a member of the department for six years and has an additional ten years experience with two other law enforcement agencies. He possesses a Master's Degree in Criminal Justice Administration but has only three years experience as a Sergeant. This individual has considerable training in criminal investigations but other than on-the-job training has virtually no management, supervision or administrative training.
- One candidate has been a member of the department for six years and has an additional eighteen years experience with two other law enforcement agencies. He possesses a Bachelor's Degree in Criminal Justice but has only three years experience as a Sergeant. Other than having attended a Sergeant Basic Training Program and on-the-job training, he has virtually no management, supervisory or administrative training.

## CIVIL SERVICE

The most commonly raised concern when considering removing a Police Chief position from Civil Service is that without the job protection that Civil Service provides, the Chief will be vulnerable to inappropriate political pressures. To some extent, these concerns are legitimate. A police Chief, because of the nature of the position, must have the ability to make difficult but appropriate and sometimes unpopular decisions without suffering negative repercussions.

## NECESSARY JOB PROTECTIONS:

Bluntly put, time hasn't been kind to the Massachusetts merit system. Title IV, Chapter 31, of the Massachusetts General Code entitled "Civil Service," a ponderous 233-page set of rules and precedents, is no longer up to the task of helping government in Massachusetts recruit and hire the most talented personnel possible. Over the course of a century, Massachusetts has fallen well behind the leaders in public sector personnel administration practice. State and local governments are vastly more professional than they were at the turn of the century (or even just 30 years ago), and government ethics laws and tight press and public scrutiny are now the rule. (*Pioneer Institute for Public Policy Research, White Paper No 13, Sept 2000, Toward a High-Performance Workplace, Fixing Civil Service in Massachusetts*)

Civil Service was established primarily to insulate government employees from inappropriate political abuses pertaining to hiring and promotions. To a great extent, these protections have become redundant because of the numerous other state and federal statutes and regulations protecting employees. A Police Chief, however, may encounter situations where he/she must make unpopular but correct decisions. It is essential that a Chief be given the job protections necessary to make these difficult decisions without suffering inappropriate consequences. That being said, our recommendation that the position be removed from Civil Service is conditional on the following.

### Adoption of Massachusetts General Law Chapter 41, Section 97a (Attached)

The position of the Lynnfield Police Chief is currently subject to Massachusetts General Law Chapter 41, Section 97 (Attached). We recommend that the Town adopt the provisions of Chapter 41, Section 97A.

Frequently, we are asked to explain the difference between a Police Chief appointed subject to Massachusetts General Laws C.41, s.97 (*the so-called weak-Chief statute*), and a Chief appointed under C.41, s.97A (*the so-called strong Chief statute*).

Pursuant to either statute, the Board of Selectmen are authorized to establish a police department and appoint a Chief and other officers. Under Section 97, the Police Department is "*under the direction of the Selectmen*" and the Selectmen "*may make suitable regulations governing the police department and the officers thereof*." The Chief of Police is in immediate control of all town property used by the Department and of the police officers.

Under Section 97A, the Department is "*under the supervision of the Chief of Police*", and the Police Chief "*may make suitable regulations governing the police department and the officers thereof, subject to the approval of the Selectmen*." If the Selectmen fail to take action within thirty days on regulations submitted to them by the Chief, the regulations become effective without Selectmen approval. The Chief of Police is in immediate control of all town property used by the Department and of the police officers "*whom he shall assign to their respective duties*."

Under either statutory scheme, the Selectmen appoint the Chief of Police and the Board retains broad policy control over the Police Department. Under 97A, the Chief, rather than the Selectmen, is responsible for day to day operations of the Department.

### Contract Protection

To provide further appropriate protection to the position, we recommend that the Town offer the next police chief a 3 year contract outlining appropriate job performance expectations and appropriate job protections. The contract should include a “*removal only for cause*” clause. Massachusetts General Laws Chapter 41, Section 108O specifically permits a Police Chief and municipality to enter into a personnel contract.

### Officer Interviews

#### Officer interviews – a total of eleven police officers of all ranks were interviewed

Although most expressed concerns about the suitability of one or more candidates. Most, but not all, want to keep the Police Chief position within Civil Service. Four main reasons were expressed.

- Current and future promotion opportunities
- A reward for service to the community
- A concern about an “outsiders” commitment to, and understanding of, the department
- A concern that without the protections afforded by Civil Service, the Chief will not have the autonomy necessary to perform his duties in an appropriate manner

Although Officers view maintaining the position of Police Chief within Civil Service as a promotion opportunity, the opportunity to advance in rank to Chief will still exist. However, rank and promotion should not be used merely as a reward for good service. Although good service and longevity merit consideration in promotion, other factors such as education, training and experience can lead to the requisite knowledge, skills and abilities necessary for the rank being sought. Longevity alone can sometimes reward repetition without growth. Good service is what is expected of all employees all of the time. Outstanding service, coupled with professional prerequisites and demonstrated abilities should be the cornerstone for advancement.

We frequently encounter the “insider” vs. “outsider” argument. Although it is true that the “insider” will possess the most historical knowledge of the Department and the community, it is usually the apprehension of the unknown and future change that leads to trepidation about an “outsider”. The “outsider” is not constricted by the understandable long standing personal loyalties that necessarily exist among the current members of the organization. An “outsider” will have a fresh perspective and, importantly, will bring the experiences of how other agencies address police management issues. Proper long-term succession planning through personnel development may very well lead to properly qualified “insider” promotion opportunities in the future.

As stated earlier, with the proper statutory framework (the adoption of the so-called “*strong chief*” statute), coupled with a personnel contract with adequate safeguards for the Chief, concerns about the Chief’s ability to manage the Department evaporate.

**BADGEQUEST CONDUCTED A REVIEW OF THE CURRENT OPERATIONS OF THE DEPARTMENT THAT INCLUDED THE FOLLOWING**

- Department policies, procedures, rules and regulations
- Officer training
- Staffing levels
- Allocation of resources
- Budget
- Facility
- Equipment/technology
- Discipline
- Calls for service
- Community policing

**POLICIES AND PROCEDURES**

The promulgation of sound policies and procedures is essential to providing proper guidance to officers in the performance of their complex and demanding duties. The failure to provide such appropriate structure leaves officers without guidance and exposes the Department to excessive liability.

A review of the Department's Policy and Procedure Manual has revealed that some of the shortcomings that currently exist could be addressed through active participation in the Massachusetts State Accreditation process.

We have compared the Department's current policies and procedures with the most current edition of standards established by the Massachusetts Police Accreditation Commission and identified many areas in need of improvement.

Outlined below are some examples of areas in need of improvement. They are divided into three sections. The first includes recommendations based on the Department's existing policies and procedures; the second are recommendations for policies that should be developed, especially if preparing to enter any phase of the Accreditation process; and the third are general recommendations and overall comments.

**CHAPTER 1 – LAW ENFORCEMENT ROLE AND RESPONSIBILITY – INCLUDING USE OF FORCE**

*1.1.2 CODE OF ETHICS – A written directive requires all personnel to abide by a code of canon of ethics adopted by the agency and mandates that ethics training be conducted for all personnel, at a minimum, biennially.*

**RECOMMENDATION**

The Department should to incorporate a Code of Ethics for non-sworn personnel and develop ethics training to be conducted at least every 2 years for sworn and civilian personnel.

1.2.3 COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS – *A written directive governs procedures for assuring compliance with all applicable constitutional requirements, including interviews, interrogations, and access to counsel.*

**RECOMMENDATION**

This Department has an interview and interrogation policy. We recommend including electronic recordings, specifically referencing the controlling case law of Commonwealth v. DiGiambattista (442 MA 423, 2004).

1.2.5 ARREST WITH/WITHOUT A WARRANT – *A written directive specifies the procedures for any arrest, made with or without a warrant, and includes the criteria for preparing reports, fingerprinting, and photographing.*

**RECOMMENDATION**

This should address when/if arrestees are required to be photographed and fingerprinted. (All detainees? Immediately upon being booked? .....

**NOTE**

The Use of Force policy is, for the most part, in compliance with State Accreditation Standards but requires some revisions.

1.3.9 AUTHORIZATION: WEAPONS AND AMMUNITIONS - *A written directive requires that only weapons and ammunition authorized by the agency be used by agency personnel in law enforcement responsibilities. The directive shall apply to weapons and ammunition carried both on and off duty, and must address specifications, review, inspection, approval, removal, maintain records, and storage*

**RECOMMENDATION**

The Department should address all types of weapons and ammunitions and all specifications.

**RECOMMENDATION**

The Department include in its policy that all weapons and ammunition be reviewed, approved, and inspected prior to initial use (not just prequalification or monthly) by a qualified instructor or Armorer, also conduct a formal yearly inspection on all weapons.

**RECOMMENDATION**

Including into the procedures who is responsible for the above inspections, and address record keeping.

**RECOMMENDATION**

A procedure for maintaining records on firearms inventory control and incorporate that procedure into the policy.

1.3.11 ANNUAL/BIENNIAL PROFICIENCY TRAINING – *At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency’s use of force policies and demonstrate proficiency with all approved lethal weapons and electronic controlled weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. In addition, proficiency training must be monitored by a certified weapons or tactics instructor; training and proficiency must be documented; and the agency must have procedures for remedial training for those employees who are unable to qualify with an authorized weapon prior to resuming official duties.*

**RECOMMENDATION**

The Department should include in the written directive that training will be done at least biennially on any less lethal weapons and weaponless control techniques.

1.3.13 ANALYZE REPORTS FROM 1.3.6 – *The agency conducts a documented annual analysis of those reports required by standard 1.3.6.*

**RECOMMENDATION**

The policy should address where the records shall be kept.

**CHAPTER 26 - DISCIPLINE**

26.1.1 CODE OF CONDUCT AND APPEARANCE – *A written directive specifies a code of conduct and appearance guidelines which are readily available to all agency personnel.*

**RECOMMENDATION**

The Department may want to address this for non-sworn members also. Many 5<sup>th</sup> Edition Accreditation standards require agencies incorporate its non-sworn members regulations and training into its policies.

**CHAPTER 41 – PATROL**

41.2.1 RESPONDING PROCEDURES - *A written directive establishes procedures for responding to routine and emergency calls, and includes guidelines for the use of authorized emergency equipment.*

**RECOMMENDATION**

The Department has a good policy on emergency responding procedures. We recommend addressing response to routine calls as well.

41.2.2 PURSUIT OF MOTOR VEHICLES - *A written directive governs pursuit of motor vehicles, to include evaluating the circumstances; initiating officer's responsibilities; designating secondary unit's responsibilities; specifying roles and restrictions pertinent to marked, unmarked, or other types of police vehicle involvement in the pursuit; assigning dispatcher's responsibilities; describing supervisor's responsibilities; specifying when to terminate pursuit; engaging in inter and intra-jurisdictional pursuits involving personnel from agency and/or other jurisdictions. Requiring a written report and an administrative review of each pursuit; and conducting an annual, documented analysis of those reports.*

**RECOMMENDATION**

The Department has two vehicle pursuit policies. One appears to be more current and follows the MPI model. This policy is in compliance with current Accreditation standards. We recommend meshing the two policies together or archiving and purging the old policy. Vehicular pursuits can lead to substantial liability for both the officer and the municipality. One comprehensive, sound policy is critical.

**RECOMMENDATION**

Reviewing the language regarding discharging a firearm from a moving vehicle. The Pursuit Procedures allows for an exception whereas the Use of Force Policy strictly prohibits this practice. The policies must be consistent. This is another area where it is critical that proper directives exist.

41.2.3 FORCIBLE STOPS – *A written directive addresses roadblocks and forcible stopping.*

The Department addresses forcible stops in regards to the pursuit policy, but should keep in mind that Accreditation requires training in these techniques if allowed.

41.2.6 MISSING CHILDREN – *The agency has a written directive concerning missing children including runaway, abandonment, abducted, or other missing status, that includes policy statement concerning missing or unidentified children; criteria for supervisory notification; information required for immediate notification of appropriate inter-and intra-agency coordination; criteria for activation of AMBER Alert systems or other public notification; responsibilities of call takers, first responders, supervisors, and investigators; and follow-up responsibilities.*

**RECOMMENDATION**

The Policy overall is in compliance. The policy should address criteria for AMBER Alert and incorporate the Baby Safe Haven Law (MGL Ch. 119 Sec 39 ½).

41.2.7 MENTAL ILLNESS - *The agency has a written directive regarding the interaction of agency personnel with persons suspected of suffering from mental illness that addresses guidelines for recognizing mental illness, accessing mental health resources, guidelines to follow, entry level training, and refresher training every 3 years.*

**RECOMMENDATION**

The Department has a sound policy on dealing with the mentally ill. Recommend addressing procedures for accessing health resources, per accreditation standard and address training.

41.3.5 – PROTECTIVE VESTS – *The agency makes available protective vests for all sworn personnel and establishes written guidelines for wearing and availability of those vests.*

**RECOMMENDATION**

Adopt this directive.

**CHAPTER 42 INVESTIGATIONS**

Standards in this chapter relate to criminal investigation as performed by uniformed officers and those with specialized investigation training. The standards provide for administrative and operational programs that should result in efficient and effective criminal investigations.

**RECOMMENDATION**

The Department addresses many of the investigations section in separate policies. For uniformity and easier reference, we recommend addressing them in one (eyewitness id, dead bodies, interviewing witnesses, interrogating suspects, etc.)

42.1.3 CASE FILE MANAGEMENT – *A written directive establishes a system of case file management for the criminal investigations function.*

**RECOMMENDATION**

Case files should be maintained on all active investigations. The policy should address accessibility to files and procedures for purging.

42.2.10 ROOMS FOR INTERVIEW AND INTERROGATIONS – *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation.*

**RECOMMENDATION**

Addressing this in a policy would serve as a means to address important security measures, weapons control, means to summons assistance, and any other safety issues when interviewing and interrogating suspects, witnesses, detainees.

**CHAPTER 61 TRAFFIC**

*Standards in this chapter govern the processes and procedures that enable the agency to execute its traffic related responsibilities and services to include Uniform Enforcement procedures (61.1.2), Violator procedures (61.1.3), informing the violator (61.1.4), stopping/approaching (61.1.7) DUI procedures to include Melanie’s Law (61.1.10), and many more.*

**RECOMMENDATION**

The Department has a policy on traffic accidents, but should develop a policy on traffic direction and control to assist officers in this frequent daily duties as patrol officers.

61.2.2 COLLISION SCENE – *A written directive defines agency response to the scene of any collision involving any of the following: death or injury, hit and run, impairment of an operator due to alcohol or drugs, damage to public vehicles, hazardous materials, disturbance between principals, major traffic congestion as a result of the collision or damage to vehicle to the extent town is required.*

**NOTE**

This policy is in compliance with some, but not all standards.

**CHAPTER 70- DETAINEE TRANSPORTATION**

The Department has a policy on detainee transportation. While some of the policy is in compliance, the following shortcomings were cited.

70.1.2 SEARCHING TRAPSPORT VEHICLES- *A written directive requires examination at the beginning of each shift of all vehicles used for transporting detainees and the search of any vehicle prior to and after transport.*

**RECOMMENDATION**

The current policy addresses this, but should also address searching a vehicle before and after detainee transport, not just before.

70.1.3 SAFETY BARRIERS/RESTRAINTS – *A written directive requires that transporting officers in vehicles without safety barriers be seated in specific locations within the vehicle, depending upon the number of detainees to be transported and the number of transporting officers used.*

70.1.6 SECURING FIREARM – *A written directive prescribes actions at the destination of employees transporting detainees to a facility to include securing when to remove restraints, delivering documentation to receiving personnel, advising receiving agency of any potential medical or security risks, documentation confirming the transfer of custody.*

70.3.2 HOSPITAL SECURITY – *A written directive establishes procedures for the security and control of detainees transported to medical care facilities or hospitals for treatment, examination, or admission.*

**CHAPTER 83 – COLLECTION AND PRESERVATION OF EVIDENCE**

83.2.2 PHOTOGRAPHY AND VIDEO TAPES – *A written directive governs procedures used for photography, both conventional and digital, and videotaping pursuant to the collection and preservation of evidence. The directive specifies the information to be recorded when these methods are used.*

**RECOMMENDATION**

The procedures should specify the type of photography and recording information.

83.2.3 FINGERPRINTING – *A written directive governs the procedures for processing, developing, lifting, and labeling all fingerprints pursuant to the collection and preservation of evidence.*

**RECOMMENDATION**

The current policy mentions fingerprinting, but does not address procedures for processing, developing, lifting, and labeling.

83.2.4 EQUIPMENT AND SUPPLIES – *The agency provides or has access to personnel, equipment, and supplies used for processing scenes for recovery of latent fingerprints, photography, sketch of the scene and collection and preservation of physical evidence.*

**CHAPTER 84 PROPERTY AND EVIDENCE CONTROL**

*The property and evidence control function should provide for the security and control of seized, recovered, and evidentiary property as well as abandoned, lost or found property in the custody of the agency. This is critically important in supporting investigations, in helping to guarantee successful prosecution at trials, in facilitating the timely return of property to its rightful owners and in establishing the agency’s reputations as an honest, reputable agency worthy of the public’s confidence and trust. It is critical that the agency’s property and evidence control function develop and maintain strict measures for the receipt, handling, security, and disposition of property.*

**RECOMMENDATION**

The Department currently has a policy on evidence, but it is not in compliance with Accreditation standards. We recommend that the policies and procedures meet these standards.

84.1.1 EVIDENCE/ PROPERTY CONTROL SYSTEM – *A written directive established procedures for receiving all in-custody and evidentiary property obtained by employees into agency control.*

**RECOMMENDATION**

Overall, the policy needs to address found, seized, abandoned, and evidentiary property. The Department has a lost, stolen, received property policy and should incorporate this into one, addressing procedures in the same manner.

**Note**

The policy states all physical evidence should be handled in “accordance with established procedure”. What are those procedures?

**RECOMMENDATION**

The policy should require officers to turn in all property, using language “before officer ends tour of duty”.

**RECOMMENDATION**

Describe the evidence system, lockers, extra security for high risk items (cash, drugs, jewelry, and weapons). Currently the policy states “evidence kept securely under lock and key in a manner designated by the Chief”. What manner?

**RECOMMENDATION**

The policy mentions “periodic checks”. Establish scheduled inspections per accreditation guidelines.

**RECOMMENDATION**

The policy also needs to address:

84.1.2 – limited access

84.1.3 – temporary security during time evidence room is closed

84.1.4 – records reflect status of all property (proper accounting)

**OTHER RECOMMENDED POLICIES & PROCEDURES**

The Massachusetts Police Accreditation Commission has published its 5<sup>th</sup> Edition Standards and now requires any agency to be accredited under this Edition. There are many areas addressed in the 5<sup>th</sup> Edition that this Agency may want to include in their Policies and Procedures, regardless of their participation in the Accreditation process.

**RECOMMENDATION**

Uniforms - Recommend a policy addressing the specifications for uniforms of sworn, specialty, and civilian.

1.2.9 BIAS BASED PROFILING – *Profiling can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling is the selection of individuals based solely on a common group trait. Law enforcement agencies should not condone the use of any bias based profiling in its law enforcement programs as it may lead to allegations of violations of constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts, and lead to claims of civil rights violations.*

**RECOMMENDATION**

A policy on bias based profiling along with training, including legal aspects, and a documented annual review with implementation of corrective measures, if applicable.

11.4.4 – SOFTWARE- *A written directive establishes a policy for the introduction of computer software and data disks into agency-controlled computer systems hardware.*

11.4.5 – NOTIFYING TOWN ADMINISTRATOR OF INCIDENTS: LIABILITY AND/OR HEIGHTENED COMMUNITY INTEREST - *A written directive describes the procedure for notifying the agency's chief executive officer or designee of incidents where there may be a question as to the agency's liability or those which may result in heightened community interest.*

12.1.1-12.2.2 DIRECTION – *Accredited agencies must have a formal written directive system. The written directive systems should evolve from the agencies legal authority, core values, and mission statement.*

**RECOMMENDATION**

Having a policy on the written directive system is essential if entering any phase of the Accreditation Process. This is also one of the first chapters the Department should focus on if they enter into the Accreditation process.

17.1.1-17.5.3 – FISCAL MANAGEMENT/AGENCY PROPERTY – *Fiscal Management is an essential part of any police agency. Standards in this chapter relate to administration, budgeting, purchasing, accounting, and procedures for the inventory and control of agency-owned or leased property.*

**RECOMMENDATION**

Instituting a finance management policy, including the Police Chief's responsibility, authority, cash account maintenance, inventory and control of property, re-issuing of property, etc.

26.1.3 HARASSMENT – *A written directive prohibits sexual and other forms of unlawful harassment in the work place and provides a means by which harassment can be reported, including a means by which it can be reported if the offending party is in the complainant's chain of command.*

**RECOMMENDATION**

Departments need to have strong policies and directives that prohibit harassment and intimidating, hostile and/or offensive work environments. The Department should issue its own Harassment policy and in doing so should obtain the accreditation standards and checklists to incorporate all mandatory information into policy. Massachusetts General Laws have specific requirements regarding such a policy, training and periodic re-issuance of the policy.

31.2.3 – EQUAL EMPLOYMENT OPPORTUNITY (EEO) Plan – *EEO should be based on an annual analysis of the agency's present employment policies, practices, and procedures relevant to their effective impact on the employment of minorities and women. Policies relating to standard 26.1.3 (harassment) may also be incorporated into the agency's overall EEO effort.*

**RECOMMENDATION**

The Department should have an EEO Plan incorporated into the Written Directive System and should assign an individual who is in charge of plan.

## **CHAPTER 33: TRAINING**

*Training has often been cited as one of the most important responsibilities in any law enforcement agency. Well trained officers are generally better prepared to act decisively and correctly in most circumstances.*

### **RECOMMENDATION**

Training is absolutely essential to ensure a highly functional department. The Department should define what is mandatory, what is optional, what is recommended, and address these in a training and career development policy.

## **CHAPTER 46 CRITICAL INCIDENTS, SPECIAL OPERATIONS AND HOMELAND SECURITY**

*Critical incidents refer generally to those of an emergency nature that result from disaster and civil disturbances. Various types of emergency situations arise in jurisdictions of any size and every agency may be the first responder. Every agency must have a written plan that outlines the procedures for how the situation will be handled. One manual/policy would suffice to address all types of incidents.*

### **RECOMMENDATION**

The Department addresses some emergency incidents (hostage negotiations), but should develop an All Hazard Plan addressing the Command Function, Operations, Planning, Logistics, and Finance Functions of Critical Incidents.

## **CHAPTER 52 – INTERNAL AFFAIRS**

### **RECOMMENDATION**

The Department should develop and implement an Internal Affairs Policy. The internal affairs function is important for the maintenance of professional conduct in a law enforcement agency. The integrity of the agency depends on the personal integrity and discipline of each employee. In a small agency, a specialized unit may not be established; however, the function is important and procedures should be in place.

Note: It is our understanding that an Internal Affairs Policy and Procedures is currently being developed.

**52.1.1 COMPLAINT INVESTIGATIONS-** *A written directive requires all complaints against the agency or its employees to be investigated, to include anonymous complaints.*

**52.1.2 RECORDS, MAINTENANCE, AND SECURITY –** *A written directive requires the agency to maintain a record of all complaints against the agency or employees and to protect the confidentiality of these records by maintaining them in a secure area.*

**52.1.3 CEO, DIRECT ACCESSIBILITY –** *A written directive specifies that the position responsible for the internal affairs function has the authority to report directly to the agency's chief executive officer.*

52.2.1 INVESTIGATION RESPONSIBILITY – A written directive specifies the type of complaints to be investigated by line supervisors and the type of complaints that require investigation by the internal affairs function.

52.2.2 CEO, NOTIFICATION – A written directive specifies the procedures for notifying the agency's chief executive officer of complaints against the agency or its employees.

## **CHAPTER 71 TEMPORARY DETENTION OR HOLDING FACILITY**

### **RECOMMENDATION**

It is important for the Department to implement a policy dealing with the holding facilities.

These standards include sight and sound separation, segregation, exceeding capacity, identification, securing firearms, key control, panic alarms, escape procedures, fire prevention, etc.

## **CHAPTER 74 LEGAL PROCESS**

### **RECOMMENDATION**

The Department should have a policy to address the areas of agency discretion in performing and recording its legal process functions including records, civil process, criminal process, financial requirements, and property management.

## **GENERAL POLICY & PROCEDURES RECOMMENDATIONS**

Address all members in policies and procedures, not just sworn. The Accreditation standards can assist in identifying what areas need to address non-sworn personnel.

Develop uniform formatting in policies (also a requirement under accreditation standards in Chapter 12) headers and footers, page numbers.

Ensure all case law is up to date in policies.

Although not mandatory for Accreditation, this Department addresses a policy on strikes and labor disputes and testifying in court. Both of these policies are good additions to the Department Manual.

**Note:** It should be recognized that Interim Chief Dunn has already commenced to undertake a revision of some of the Department's policies and procedures. This is to be commended.

### **RECOMMENDATION**

The revision of the Department's policies and procedures will be a long and challenging process. The immediate focus should be to revisions of policies with high liability areas such as Use of Force, Vehicular Pursuits, Detention and Transportation of individuals, Arrest, Search / Seizure, Discrimination (including Department personnel), Sexual Harassment, Internal Affairs (including processing citizen complaints), and Vehicle Maintenance.

**RECOMMENDATION**

The Town may wish to consider consulting with their liability insurance carrier who may offer to help with a checklist of high risk and police facility issues.

**RECOMMENDATION**

The Department should commit to attaining state certification, consistent with standards established by the Massachusetts Police Accreditation Commission, within two years. Compliance with state certification standards will be a very positive step in addressing the current management and administrative shortfalls that currently exist within the Department.

**NOTE**

Certification is the entry level step to full accreditation. Certification deals with critical matters pertaining to officer and citizen safety and basic management practices. The ultimate goal of the department should be to attain full accreditation.

**TRAINING**

The nature of policing places unusual intellectual, emotional and ethical demands on police officers. To meet these challenges training must be continuous and include recruit academy training, annual in-service training and specialized training.

Recruit Training

All full time members of the department have attended and graduated from a Recruit Academy authorized by Massachusetts Criminal Justice Committee.

Annual In-service Training

We have been advised that all members of the department annually receive forty hours of in-service training.

**RECOMMENDATION**

One or more officers should receive investigative training.

**RECOMMENDATION**

As an element of career development, officers should have a greater opportunity to receive specialized training that is consistent with their interests and abilities and the needs of the department.

**RECOMMENDATION**

There is a need and an obligation of the Department to develop and train individuals to assume positions of increased responsibility. Management and supervisory training should be provided to all ranking Department members

**RECOMMENDATION**

Supervisory training for Sergeants should be completed as soon after promotion as feasible and on going and advanced training should be made available as time and budget considerations allow

## **STAFFING LEVELS**

The current authorized level of supervisory staffing (Chief, Captain and 4 Sergeants) is adequate to ensure appropriate supervision. The current staffing level of patrol officers is minimally adequate to respond to the current level of calls for service. As the economy improves, the Town would be well served with the addition of several patrol officer positions. Such an addition would facilitate enhanced community policing initiatives and to some extent could reduce overtime costs.

## **ALLOCATION OF RESOURCES**

### **RECOMMENDATION**

As previously mentioned the current level of patrol officer positions is minimally adequate and allows for limited flexibility. It appears that the current allocation of personnel is appropriate. If and when additional personnel are added to the Department, we would suggest an increased emphasis in criminal investigations and school interactions.

## **BUDGET**

### **RECOMMENDATION**

The current level of funding is adequate to support the level of staffing that currently exists. The current training budget is \$7,200. An increase in this line item would facilitate much needed career development initiatives.

## **FACILITY**

The Police building was built in 1960 and expanded to its current size in 1991. Although far from a state of the art complex, it is adequate in size to support the current level of staffing and operations. Upon our initial visit, the building was in need of a major house-cleaning. We are pleased to observe that this is currently under way.

## **EQUIPMENT/TECHNOLOGY**

### **RECOMMENDATION**

#### **Mobile Data Terminals:**

All marked police vehicles should be equipped with computers (Mobile Data Terminals) These on-board computers enhance officer safety, communication and productivity. They have become an essential law enforcement tool and their purchase should be a priority.

### **RECOMMENDATION**

#### **Radar units:**

Many of the response to the questionnaire mentioned the need for improved radar type units. This is a matter that should be explored further

**RECOMMENDATION**

Chief Dunn expressed a need for several more police vehicles and was in the process of gathering documentation to support this need. Because the documentation was not available at the time of this report, we suggest that this matter be explored with the Chief when this documentation is available.

**DISCIPLINE:**

BadgeQuest did not access department Disciplinary/Internal Affairs Records. However, substantial and consistent anecdotal information was obtained through our interview process. We have concluded that discipline has been lacking in the department and is not consistent with professional standards and public expectations. We recommend the following.

**RECOMMENDATION**

A member of the command staff receive outside training in, and be assigned as the Department Internal Affairs Officer.

**RECOMMENDATION**

The Department develop a Mission Statement that includes a commitment to integrity

**RECOMMENDATION**

Ethics training should be incorporated in the Department's annual training.

**RECOMMENDATION**

The Town negotiate a random drug and substance abuse testing policy with the Union.

**NOTE**

The Department is currently in the process of developing updated internal affairs procedures. This new directive will provide structure pertaining to the receipt of citizen complaints; will delineate supervisor's responsibilities, timelines for investigations and follow-up with citizens. This is an excellent first step.

**CALLS FOR SERVICE**

According to the statistics provided, the Department responded to the following numbers of calls for service in the last two years

2007 – 4,858

2008 – 4548

According to the statistics provided, the number of crimes reported in the last two years has increased from 880 in 2007 to 946 in 2008. This is an approximate 7% increase. Based on the number of crimes reported in the first eight months of this year, it is projected that 957 crimes will be reported in 2009.

Although Lynnfield is obviously not a high crime community, this increase bears careful scrutiny to ensure that the rate does not continue to increase.

## COMMUNITY POLICING

Although Department members have expressed an admirable commitment to the community, the Department Administration has not embraced true Community Policing. Community Policing is a philosophy that incorporates problem solving, partnerships with the community and crime prevention. Although it appears that officers are sensitive and receptive to the needs of the community, the leadership of the Department has failed to harness this commitment in a positive manner.

Community Policing is not merely “programs”. However, the existence of community based programs is essential. The Department currently engages in only two programs that could be called Community Policing.

Once per week an officer attends a meeting at the Senior Center. The officer is paid a detail rate for attending. A different officer attends each week. Although it appears that the officers’ presence is welcomed by the seniors, this is hardly a community policing program. Many departments have officers specially trained in matters affecting the elderly. These officers participate in a program called TRIAD. We suggest that an officer be selected for this training. The department will then have a specialist in matters affecting the elderly.

The other program is a noise abatement program that deals specifically with complaints pertaining to loud motorcycles. Noise measuring equipment has been purchased by the Department and officers have been training in its use. It appears that enforcement efforts pertaining to loud motorcycles have been supported by Community Policing grants. Due to economic factors, such grants have been greatly reduced. We hope that enforcement efforts are maintained despite the reduction in grant funding.

### RECOMMENDATION

All members of the Command Staff should receive training in Community Policing.

### RECOMMENDATION

A member of the command staff should be designated as the Community Policing Coordinator. This individual should work with Department and community members to identify community needs and implement appropriate responsive initiatives to address those needs.

### RECOMMENDATION

Incorporate Community Policing training in the Department’s annual training.

## **OTHER**

Although not specifically a focus of this study, observations were made concerning other matters that we recommend be addressed.

### **RECOMMENDATION**

#### Personnel files

Personnel files should be complete and comprehensive. The files reviewed pursuant to this study were neither. Information regarding education, promotions and training is lacking and/or absent. It is recommended that all files be reviewed and appropriate documents be incorporated in the files. There are several state statutes that pertain to the creation and maintenance of personnel files.

### **RECOMMENDATION**

#### Property and Evidence Room Audit

It appears that the Property and Evidence room is going through a considerable reorganization. We believe this is needed. The Department currently lacks comprehensive procedures regarding the submission and safekeeping of property and evidence. The consultant also observed numerous unsecured rifles, shotguns (including a sawed-off shotgun) and handguns in Chief Romano's office. We recommend that an outside independent audit be conducted of all found property and evidence and that a policy and procedures be developed as soon as reasonably possible.

### **RECOMMENDATION**

#### Performance Evaluations:

A formal structured Performance Evaluation system should be implemented. The evaluation of an individual's performance is one of the most difficult and most important tasks of a police supervisor but it is essential to provide proper guidance and career development. There currently exists no formal means of evaluating employee performance in the Lynnfield Police Department. A well designed evaluation will facilitate the recognition of exemplary performance, identify training needs and serve as a valuable career development tool. It can also enhance communication, mutual understanding and accountability. It should be noted that the implementation of an employee evaluation system is a mandatory subject of negotiating.

### **RECOMMENDATION**

#### Chain of Command

A clear chain of command must be established and adhered to. The Police Chief should be supervised by, and report to, the Town Administrator.

## DEPARTMENT QUESTIONNAIRE

The following Police Department Questionnaire was given to each available member of the department. Thirteen responses were received. A synopsis of the responses follows.

TO: ALL MEMBERS OF THE LYNNFIELD POLICE  
DEPARTMENT

FROM: CHIEF STEPHEN H. UNSWORTH (retired)/BadgeQuest

SUBJECT: QUESTIONNAIRE

As you are aware, the Town is in the process of conducting a needs analysis of the Police Department. Your input is essential to help ensure that the analysis identifies the true needs of the department. We ask that you take a few minutes to complete this questionnaire. Please make any additional comments that you believe will assist in the process. Your responses will be confidential. We thank you in advance for your assistance.

1. What do you think should be the role of police officers in the community?

*The majority of the responses indicated that officers have an appropriate concept of their role within the community.*

2. What do you believe are the three greatest strengths of the department?

*The consensus from those responding is that the department's greatest strengths are:*

- *The quality of the officers*
- *Their ability to work well together*
- *Officer commitment to the community*

3. What three areas of the department do you believe need to be improved and what can or should be done to improve them? Please be specific.

*Suggestions for improvement included the following:*

- *The relationship between the Police Department and the Board of Selectmen*
- *The Police building*
- *Technology – Mobil data terminals (computers) in cruisers*
- *Increased staffing*
- *Salary*

4. In your opinion, is discipline administered in a fair manner? Circle one (YES) (NO) Please explain.

*Many officers responding indicated that they believe discipline is fair. Some responses raised serious concerns about a lack of discipline.*

5. In your opinion, is training adequate? Circle one (YES) (NO)  
If no, please give a specific explanation.

*The responses to this question were mixed some officers felt that training was adequate. Others expressed as desire for more training opportunities.*

6. In your opinion, is Department equipment adequate?  
Circle one (YES) (NO) If no, please make specific suggestions.

*The responses to this question were also mixed. While many responses indicated that equipment was adequate, others expressed a need for mobile data terminals (computers) in the cruisers, newer firearms and more and better radar units.*

7. Rate morale within the department from 1 to 10. (with 10 being the highest). Please explain.

*With some exceptions, morale appears to be quite high in the Lynnfield Police Department. Many responses mentioned the uncertainties surrounding the change in leadership and the possibility of the position of Police Chief being taken out of Civil service has having a somewhat negative impact on morale.*

8. Do you feel that the police department is respected within the community? Circle one. (YES) (NO) Please explain.

*Most officers believe that the department is respected within the community. There is some concern that the well known frictions between the former Chief and the Board of Selectmen have to some extent had a negative impact of the respect of the department.*

9. Do you feel that the Community provides adequate support, financial or otherwise, for the police department to accomplish its' public safety mission? (YES) (NO) Please explain.

*While several respondents indicated that they believed that community support is adequate and several did not respond, the majority (8) believe that support is not adequate. Reasons for this included lack of staff and a belief that a disproportionate of financial support goes to the schools.*

10. In your opinion, is the police department committed to community policing? Please explain.

*Most officers are of the impression that the Department is committed to community policing. While the officers themselves appear to be community oriented, the department is not in our opinion committed to true community policing.*

11. What new programs, if any, would you like to see implemented within the department?

*Most responses indicated a desire that a School Resource Officer and Detective position be created.*

12. Have you ever considered leaving the department for another department? Circle one (YES) (NO) If yes, why?

*Most officers responded that they have not considered leaving the department. A few indicated that they had considered leaving for other opportunities afforded by a larger department.*

13. Comments/suggestions – Please attach additional sheets as needed.

*Several responses expressed a preference that the Police Chief position remain in Civil Service*

## **SUMMARY**

### Civil Service

The Department and community will be better served if the position of Police Chief is removed from the constraints of Civil service if adequate job protections are incorporated into the hiring process.

### Accreditation/Certification

Many of the Department's current and numerous shortfalls can be addressed by the pursuit and eventual attainment of Certification under the Massachusetts Police accreditation Program. The standards are comprehensive and provide guidance and structure to Departments seeking to provide necessary guidance to their officers and quality service to their communities.

### Discipline

The current level of discipline is not consistent with current professional or public expectations. Ethics training is essential as is a structured process to reward appropriate behavior and identify and correct inappropriate conduct.

### Community Policing

The Lynnfield Police department has many fine officers who are committed to the community. However, the department has failed to utilize their creativity and commitment. The administration of the department must commit themselves to the philosophy of community policing and empower officers to work with residents to solve problems and enhance the quality of life in Lynnfield.

**CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS.**

**Chapter 41: Section 97. Police departments; establishment; membership, etc.**

Section 97. In towns which accept this section or have accepted corresponding provisions of earlier laws there shall be a police department established under the direction of the selectmen, who shall appoint a chief of police and such other police officers as they deem necessary, and fix their compensation in an amount not in the aggregate exceeding the annual appropriation therefor. In any such town in which such appointments are not subject to chapter thirty-one, they shall be made annually or for a term of years not exceeding three years, as the selectmen shall determine, and the selectmen may remove such chief or other officers for cause at any time during such appointment after a hearing. The selectmen may make suitable regulations governing the police department and the officers thereof. The chief of police shall be in immediate control of all town property used by the department, and of the police officers, who shall obey his orders.

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**CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS.**

**Chapter 41: Section 97A. Police departments; establishment; membership, etc.**

Section 97A. In any town which accepts this section there shall be a police department established by the selectmen, and such department shall be under the supervision of an officer to be known as the chief of police. The selectmen of any such town shall appoint a chief of police and such other officers as they deem necessary, and fix their compensation, not exceeding, in the aggregate, the annual appropriation therefor. In any such town in which such appointments are not subject to chapter thirty-one, they shall be made annually or for a term of years not exceeding three years, as the selectmen shall determine, and the selectmen may remove such chief or other officers for cause at any time after a hearing. The chief of police in any such town shall from time to time make suitable regulations governing the police department, and the officers thereof, subject to the approval of the selectmen; provided, that such regulations shall become effective without such approval upon the failure of the selectmen to take action thereon within thirty days after they have been submitted to them by the chief of police. The chief of police in any such town shall be in immediate control of all town property used by the department, and of the police officers, whom he shall assign to their respective duties and who shall obey his orders. Section ninety-seven shall not apply in any town which accepts the provisions of this section. Acceptance of the provisions of this section shall be by a vote at an annual town meeting.

## **BIOGRAPHY - Chief Stephen H. Unsworth (Retired)**

Upon retiring as Chief of Police from the Waltham Police Department in 2000, Unsworth founded BadgeQuest. BadgeQuest has coordinated the Assessment Centers and selection processes of numerous Police Chiefs. (List and references attached)

Chief Unsworth is well versed in requirements of the HRD. He served as a member of the HRD promotional text review committee. During his tenure as a Civil Service Police Chief and Appointing Authority, he was responsible for the hiring of more than 50 police officers and more than 40 promotions for ranks up to and including Deputy Police Chief. He served as a member of the Massachusetts Chiefs of Police Civil Service Committee, has advised HRD concerning appropriate promotional textbooks and has authored the Forward to the Massachusetts Chief's of Police Guide to Recruitment and Hiring.

Chief Unsworth has been a Police Academy Director and Massachusetts Municipal Training Committee certified Police Academy instructor for subjects including patrol procedures, observation skills, the environment of policing, ethics and officer survival skills. He has also served as a member of the Massachusetts Criminal Justice Training Council Curriculum Advisory Board.

Chief Unsworth served as the 2<sup>nd</sup> Vice President of the Massachusetts Chiefs of Police Association. He was chairman of the Massachusetts Chiefs of Police Accreditation Committee and served as a member of the Training and Education Committee and the Civil Service Committee. As chairman of the Accreditation Committee, he successfully participated in writing a federal grant application to establish the Massachusetts Police Accreditation Program. More than one hundred and fifty police departments in the Commonwealth have entered the program since its inception. In 1997, Chief Unsworth was appointed by the Secretary of Public Safety as chairman of the Accreditation Commission that governed this program. He served in that capacity until his retirement from the Waltham Police Department.

During his tenure as Chief of Police, the Waltham Police Department became the 163<sup>rd</sup> police department in the nation to be accredited by The Commission to Accredit Law Enforcement Agencies (CALEA) and the first department in the Commonwealth to be accredited by the Massachusetts Police Accreditation Commission.

Chief Unsworth authored the forward to the Massachusetts Municipal Police Institute Police Chief's Guide to Recruitment and Hiring. Prior to his retirement as Police Chief, he served as an assessor for the selection processes in the municipalities of Framingham, Salem, Chelsea and Malden and participated in promotion boards for the towns of Watertown and Seekonk.

He holds a Masters Degree in Criminal Justice and is a graduate of the FBI National Academy, the FBI Law Enforcement Executive Development Seminar and the Babson College Command Training Institute.