

# Town of Nantucket Police Department

William J. Pittman  
Chief of Police

Charles Gibson  
Deputy Chief of Police



4 Fairgrounds Road  
Nantucket, Massachusetts  
02554-2804

Telephone (508) 228-1212  
Facsimile (508) 228-7246  
[www.nantucket-ma.gov/police](http://www.nantucket-ma.gov/police)

December 15, 2022

Ms. Libby Gibson  
Town Manager  
16 Broad Street  
Nantucket, MA 02554

RE: NPD Action Plan for the Police Reform Legislation – Status Update

Dear Ms. Gibson,

This document will provide an update on the action steps the NPD has taken to date regarding the implementation of the Police Reform Bill which was signed into law on December 31, 2020.

In my initial outline I had provided a list of 25 action steps that were identified by myself and/or the Mass. Chiefs of Police that I feel will result in either procedural, policy or budgetary changes. I have color coded the status of each Action Item to facilitate a quicker review of the progress being made. Each action item is marked with a color box that indicates the status at a glance:

- **[STATUS]** = Not started
- **[STATUS]** = In Progress
- **[STATUS]** = Completed

When I sent you the original outline in February, 2021 I had started two of the Action Items. As of this date, I have completed 70% of the Action Items and have made substantial progress on another 20% of the Action Items. I still have 10% of the Action Items where I have not or have been unable to proceed. The reason that I've been unable to proceed is that it is not clear that the Action Item applies to this department or I am waiting on guidance and/or new rules to be issued by Legislative Created Commissions or Committees that are studying the issues and expected to issue rules and guidance.

For each Action Item that was either "Not Started" or is "In Progress" I included a NOTE that describes the reason for the lack of progress. Keep in mind, for each item completed we have also had to provide training for the officers regarding any changes. Let me know if you have any questions.

Best Regards,

*William J. Pittman*

William J. Pittman  
Chief of Police

**ACTION ITEM 1:** *Do not withhold law enforcement employee disciplinary memoranda, which is held in the employee's personnel file, under exemption (c) of the Public Records Law<sup>i</sup>*

**[STATUS]** Completed

**NOTE:** This item simply required a modification to an existing policy. I have notified all records personnel and custodians of the requirement.

**ACTION ITEM 2:** *Update Department Use of Force Policy<sup>ii</sup>*

**[STATUS]** Completed

**ACTION ITEM 3** *Update Department Directive 123-Recruitment and Retention and the conditional offers of employment to include the following:<sup>iii</sup>*

**[STATUS]** In Progress

**NOTE:** Conditional Offer Letters modified to be in compliance. Still waiting for further guidance from the Legislative Commission that is supposed to issue guidelines for policy modifications. (Sub-NOTE: Most of the legislative Commission discussion has focused on Civil Service Rule modifications thus far. It is not clear how this will impact this Department)

**ACTION ITEM 4** *Update agency bias-free policing policy. <sup>iv</sup>*

**[STATUS]** Completed

**ACTION ITEM 5** *Comply with new in-service requirements<sup>v</sup>*

**[STATUS]** Completed

**NOTE:** Complying with current in-service training requirements.

**ACTION ITEM 6** *Adopt Department Directive regarding the acquisition and use of Facial Recognition Software.<sup>vi</sup>*

**[STATUS]** In Progress

**NOTE:** Received guidelines regarding Facial Recognition Software from Legislative Commission studying the issue and model policy from Mass. Chiefs Association on Dec. 13, 2022. We have no plans to implement this type of software. However, we are in the process of developing a policy to provide guidance to staff.

**ACTION ITEM 7** *Agencies should explicitly require that all law enforcement officers will be required to obtain/maintain their certification through POST and agencies shall not employ a decertified officer in any capacity.<sup>vii</sup>*

**[STATUS]** Completed

**NOTE:** Language in CBA's comply with this requirement.

**ACTION ITEM 8** *Agencies must update other policies as required by POST and obtain and maintain the agency certification through POST.<sup>viii</sup>*

**[STATUS]** In Progress

**NOTE:** POST is continually updating policy guidance and pushing it out to departments.

**ACTION ITEM 9** *Agencies must send certain documents regarding officer misconduct and internal affairs investigations to the Division of Police Standards.<sup>ix</sup>*

**[STATUS]** Completed

**ACTION ITEM 10** *Agencies must permit the Division of Police Standards to conduct records audits.<sup>x</sup>*

**[STATUS]** Completed

**NOTE:** Staff notified of this requirement. However, we have not received any further guidance or request from POST to conduct such audits to date.

**ACTION ITEM 11** *Agencies must complete internal affairs investigations into complaints of officer misconduct within 1 year of receiving the complaint or notice from POST of the complaint being filed.<sup>xi</sup>*

**[STATUS]** Completed

**NOTE:** Internal Affairs Policy updated to reflect this requirement.

**ACTION ITEM 12** *Agencies must update anti-retaliation policies.<sup>xii</sup>*

**[STATUS]** Completed

**ACTION ITEM 13** *Agencies should be sure to enter into nondisclosure agreements only as permitted by the new law and in consultation with local counsel.<sup>xiii</sup>*

**[STATUS]** Completed

**NOTE:** Policy understood and appropriate policies modified.

**ACTION ITEM 14** *Agencies must update their Memoranda of Understanding and applicable policies with respect to their school resource officer(s).<sup>xiv</sup>*

**[STATUS]** In Progress

**NOTE:** Draft MOU sent by the School District to their oversight bodies for review.

**ACTION ITEM 15** *Agencies must update their policies with respect to the definition of “racial or other profiling.”<sup>xv</sup>*

**[STATUS]** Completed

**ACTION ITEM 16** *Agencies should update their protective custody policies, particularly in Dukes County.<sup>xvi</sup>*

**[STATUS]** Not Started

**NOTE:** Waiting on guidance from either the State or Mass. Chiefs on what is expected in order to be in compliance. Legislation was unclear.

**ACTION ITEM 17** *If an agency's policy speaks to criminal implications for certain officer conduct, that agency may consider updating that policy to include provisions dealing with the submission of false time sheets and prisoner rights violations.<sup>xvii</sup>*

**[STATUS]** Completed

**ACTION ITEM 18** *Agencies must update the no-knock warrant provisions in their policy addressing warrants.<sup>xviii</sup>*

**[STATUS]** Completed

**ACTION ITEM 19** *Agencies must submit disciplinary records to POST.<sup>xix</sup>*

**[STATUS]** Completed

**NOTE:** All records required submitted.

**ACTION ITEM 20** *Agencies must ensure that all reserve officers complete such additional training as may be required by the MPTC.<sup>xx</sup>*

**[STATUS]** Completed

**NOTE:** Only Reserve Police Officer we had completed a full-time academy in July, 2022.

**ACTION ITEM 21** *Agencies must update their body camera policy to comply with the regulations to be created by the task force.<sup>xxi</sup>*

**[STATUS]** In Progress

**NOTE:** Working on finalizing a policy and bargaining the implementation with the police unions.

**ACTION ITEM 22** *Agencies may be required to update policies relative to emergency hospitalizations under Chapter 123, section 12.<sup>xxii</sup>*

**[STATUS]** Not Started

**NOTE:** Unclear what is expected. Waiting on guidance from the Legislative Commission formed to study this issue before we start the process of developing a policy.

**ACTION ITEM 23** *Agencies may be required to update polices and rules relative to hiring.*<sup>xxiii</sup>

**[STATUS]** Not Started

**NOTE:** Waiting on guidance from the Legislative Commission formed to study this issue before I start the process of developing a policy. Most of the discussion seems to be focused on changes to the State Civil Service Rules.

**ACTION ITEM 24** *Agencies may be required to create/update their policies relative to crisis response and continuity of care systems.*<sup>xxiv</sup>

**[STATUS]** In Progress

**NOTE:** Waiting on guidance from the Legislative Commission formed to study this issue before I start the process of modifying our policy. Currently working with local behavioral health groups, NFD and NCH to implement changes to the response to behavioral health situations.

**ACTION ITEM 25** *Agencies may be required to participate in, and update their policies relative to, critical incident stress management and peer support programs.*<sup>xxv</sup>

**[STATUS]** In Progress

**NOTE:** We currently have a critical incident stress management policy. In the process of training staff to create a functional peer support team for the department.

---

<sup>i</sup> See Section 2, Chapter 253 of the Acts of 2020; G.L. c. 4, § 7(26)(c)

<sup>ii</sup> See Section 4, Chapter 253 of the Acts of 2020; Section 30, Chapter 253 of the Acts of 220; G.L. c. 6E, § 1; Section 30, Chapter 2523 of the Acts of 2020; G.L. c. 6E, § 5(b); G.L. c. 6E, § 14; G.L. c. 6E, § 15; See Section 119, Chapter 253 of the Acts of 2020.

<sup>iii</sup> See Section 4, Chapter 253 of the Acts of 2020; See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 4(f)

<sup>iv</sup> See Section 18, Chapter 253 of the Acts of 2020; G. L. c. 6, § 116G; G.L. c. 6E, § 1

<sup>v</sup> See Section 22 of Chapter 253 of the Acts of 2020; G.L. c. 6, § 116F(b)(ii)-(iii); Section 23 of Chapter 253 of the Acts of 2020; G.L. c. 6, § 116 H-K

- 
- vi See Section 26 of Chapter 253 of the Acts of 2020; G.L. c. 6, § 220; Section 105, Chapter 253 of the Acts of 2020.
- vii See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, §§ 4(f) & 11.
- viii See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 5.
- ix See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 8(b)(1)-(4).
- x See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 8(d).
- xi See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 10(h).
- xii See Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 12.
- xiii See Section 77, Chapter 253 of the Acts of 2020; G.L. c. 41, § 98H.
- xiv See Section 77, Chapter 253 of the Acts of 2020; G.L. c. 41, § 98H.
- xv See Section 83, Chapter 253 of the Acts of 2020, G.L. c. 90, § 63.
- xvi See Section 87, Chapter 253 of the Acts of 2020, G.L. c. 111B, § 8.
- xvii See Section 90, Chapter 253 of the Acts of 2020, G.L. c. 231, § 85BB, See Section 91, Chapter 253 of the Acts of 2020; G.L. c. 265, § 13H1/2.
- xviii See Section 94, Chapter 253 of the Acts of 2020; G.L. c. 276, § 2D
- xix See Section 99, Chapter 253 of the Acts of 2020.
- xx See Section 102, Chapter 253 of the Acts of 2020.
- xxi See Section 104, Chapter 253 of the Acts of 2020.
- xxii See Section 106, Chapter 253 of the Acts of 2020.
- xxiii See Section 107, Chapter 253 of the Acts of 2020.
- xxiv See Section 117, Chapter 253 of the Acts of 2020.
- xxv See Section 118, Chapter 253 of the Acts of 2020.