

ORGANIZED
NOVEMBER 3, 1887



INCORPORATED
MAY 2, 1949

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Charles D. Rennick

Executive Office of Transportation & Public Works

10 Park Plaza, Suite 3170

Boston, MA 02116

Re: Use of Police Details on Massachusetts Roads

May 29, 2008

Dear Mr. Rennick,

On behalf of the Massachusetts Chiefs of Police Association, I would like to express our deep concern over the proposed language to restrict police officers from ensuring the public safety at public highway construction work sites. Police Chiefs, Local Public Works and Municipal Officials already consider the following items when assigning officers to traffic:

1. Locations where officers are assigned are prioritized based on the volume of traffic, accident frequency, road conditions and availability of appropriate personnel.
2. When a Municipality has multiple simultaneous work sites, police supervisors are better able to coordinate traffic direction throughout the community. While individual contractors only consider their specific construction job, local officials must coordinate the effects of one job on others in the same or the adjacent community.
3. In these difficult times of personnel shortages throughout the state, officers on traffic assignments not only give the appearance of higher visibility but they actually provide a ready source of trained personnel from which chiefs can draw immediate response during

times of emergency. You have received testimony from a number of organizations that have well documented cases of detail officers being called in to emergency service while assigned to traffic control. The economic benefit to having hundreds of additional fully trained and equipped officers on the streets of the Commonwealth is not inconsequential.

4. There is currently a shortage of police in Massachusetts communities at this time; any reduction in an officer's ability to provide for their family will further reduce the number of quality officers coming into the profession. Several previous speakers have referred to Massachusetts as being the only state that uses police officers for traffic control and this is not accurate. Currently, within the New England region, Maine, New Hampshire, Connecticut and New York all use police officers at some construction sites.
5. Work Zone safety has been a topic of recent studies throughout the country. Studies in Indiana, Kentucky, Maryland, Virginia, Wisconsin, Michigan, and Missouri have indicated that the trend is to use more off duty police officers at work zones as there was a marked reduction in fatal accidents and personal injury accidents as a direct result of using uniform police officers at construction work zones. In 2007, the International Chiefs of Police Association passed a resolution endorsing and supporting expanded work zone training on "Safe and Effective Use of Law Enforcement Personnel in Work Zones".
6. In recognition of work zone dangers, the Massachusetts legislature recently passed legislation doubling the fine for speeding within a construction zone. It is certainly a contradiction for public officials to now want to remove the only people authorized to enforce this life saving legislation.
7. There are serious questions on what the actual cost savings, if any, will really be to the Commonwealth after calculating the costs of pay, unemployment, health benefits and employer profits. These are questions that can and should be answered in the public forum prior to any recommendations being made, so that all parties will have an opportunity to comment on your projections.
8. When Public Road projects are currently awarded, there is a preconstruction meeting with Public works, the contractor, and local officials, especially representatives of the local police department. The current process of having the appropriate local officials make traffic decision in consultation with the contractors and local engineers makes good economic and common sense and is good public policy.

Charles D. Rennick

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It is unconscionable to think that the Department of Transportation believes that it has the ability to better determine the needs of an entire community while performing work in only a small section of a city or town. The local Police Chief is responsible for ensuring the safety of the entire community which includes the effects of a specific worksite on the rest of our community.

We respectfully request that the Department of Transportation not issue any proposed regulations until it is capable of fully answering the legitimate questions that have been raised by the interested parties.

Thank you for your time and consideration in this matter.

A handwritten signature in cursive script that reads "A. Wayne Sampson". The signature is written in black ink and is positioned above a solid horizontal line.

Chief A. Wayne Sampson (Ret.)

Executive Director

CC: MCOPA Executive Board
Under Secretary Kurt Swartz, EOPSS