

Town of



AMHERST

Massachusetts

Amherst Police Department
111 Main Street
Amherst, Massachusetts
01002

Scott P. Livingstone
Chief of Police
Business (413) 259-3000
Chief (413) 259-3014
Records (413) 259-3016
Fax (413) 259-2408
police@amherstma.gov

To: Amherst Human Rights Commission

From: Chief Scott P. Livingstone

Subject: Police Response, July 5, 2022

On July 5, 2022 at 00:32 two Amherst Police Officers were dispatched to a report of a noise disturbance at 693 Main Street. The call response was documented in department Computer Aided Dispatch (CAD) #22-10984. Two officers responded in separate vehicles as is standard protocol for a noise disturbance. This was a non emergency response, blue lights and siren were not used. The noise complaint was made by a named individual. Upon arrival, the officers gathered 9 individuals responsible for the noise complaint in one large group which is standard protocol for both officer and the individual safety. All 9 individuals were treated the same, each asked the same questions, each asked to identify themselves thru verbal or school identification. Identifying individuals at a noise complaint is standard protocol and policy. The officers remained on the scene for just under an hour, and cleared at 0126. All individuals were identified and all were released to a parent or guardian.

None of the individuals were allowed to drive from the scene as all licensed operators were Junior Operators. Restrictions on Junior Operators fall under MGLC sec 90-10 & 8b.

Following the Monday, August 15, 2022 Town Council Meeting, the department contacted the parents and guardians of each minor involved in the July 5th incident. Two parents responded to the request for additional information. One family affirmed the police actions and one family disaffirmed the police actions. The department also received a written statement from Mr. William Steward and in addition, anonymous statements reported as those of the youth that were at the scene on the morning of July 5th. These statements were provided to the department via the Amherst Human Rights Commission.

As part of the department inquiry into the July 5th incident additional cell phone video's were requested by the investigating officer. One family allowed the officer to view an additional 3 seconds of video. Request to see the other cell phone video of the incident were denied.

The department and I regret that one of the officers on the scene wrongfully informed one of the youth that he had no rights. This statement was corrected immediately by the second officer on the scene. No arrest were made, no citations were issued, and no physical contact or restraint occurred.

The department conducted an internal inquiry into the incident. The department follows a progressive discipline principal , pursuant to the Patrol Officers Collective Bargaining Agreement. Personnel matters remain confidential.

The department has met and complies with all POST requirements , see MGLC. 6E Peace Officer Standards and Training Commission.

Additionally, the department has De-escalation Instructors on staff , three of who are instructors at the Massachusetts Police Academy's. February 2023, the department has scheduled department wide training thru Attorney Dave Kennedy. The training will be a full day Juvenile Law Training and update.

Respectfully:

A handwritten signature in black ink, appearing to read "Scott P. Livingstone". The signature is written in a cursive style with a large, sweeping flourish at the end.

Scott P. Livingstone

Chief of Police