



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

CHAIR

Margaret R. Hinkle

COMMISSIONERS

Lester Baker

Hanya H. Bluestone

Lawrence Calderone

Larry E. Ellison

Deborah Hall

Marsha V. Kazarosian

Charlene D. Luma

Rev. Clyde D. Talley

EXECUTIVE DIRECTOR

Enrique A. Zuniga

May 17, 2024

In accordance with [M.G.L. c. 30A, §§ 18-25](#), and [St. 2021, c. 20](#), as amended by [St. 2022, c. 22](#), by [St. 2022, c. 107](#), and by [St. 2023, c. 2](#), notice is hereby given of a meeting of the Peace Officer Standards and Training Commission. The meeting will take place as noted below.

NOTICE OF MEETING AND AGENDA

Public Meeting #50

May 22, 2024

8:30 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 923 0339 6658

- 1) Call to Order
- 2) Approval of minutes
 - a. April 18, 2024
- 3) Executive Director Report – Enrique Zuniga
 - a. Certification Update
 - b. Disciplinary Records Update – 2023 Project
 - c. Finance & Budget Update
- 4) Legal Update – Randall Ravitz
 - a. Proposed Regulations on Recordkeeping, Reporting, and Auditing
- 5) Subcommittee on Certification Update
- 6) Matters not anticipated by the Chair at the time of posting
- 7) Executive Session in accordance with the following:

MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- M.G.L. c. 30A, § 21(a)(1), in anticipation of discussion regarding “the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, . . . or individual”;
 - M.G.L. c. 30A, § 21(a)(5), in anticipation of discussion regarding the investigation of charges of criminal misconduct;
 - M.G.L. c. 30A, § 21(a)(7), combined with M.G.L. c. 6E, § 8(c)(2), and to the extent they may be applicable, M.G.L. c. 6, §§ 168 and 178, in anticipation of discussion regarding the initiation of preliminary inquiries and initial staff review related to the same, and regarding certain criminal offender record information; and
 - M.G.L. c. 30A, § 21(a)(7), combined with M.G.L. c. 30A, §§ 22(f) and (g), in anticipation of discussion and approval of the minutes of prior Executive Sessions.
- a. Reports of Preliminary Inquiry in the following cases:
- i) PI-2023-12-19-002
 - ii) PI-2023-05-11-005
 - iii) PI-2023-12-19-005
 - iv) PI-2024-005
 - v) PI-2024-030
- b. Division of Standards request for approval to enter into Voluntary Decertification Agreements in the following cases:
- i) PI-2024-011
 - ii) PI-2023-05-11-005
- c. Division of Standards request for approval to conduct Preliminary Inquiries in the following cases:
- i) PI-2024-031
 - ii) PI-2024-032
 - iii) PI-2024-033
 - iv) PI-2024-034
- d. Approval of the minutes of the Executive Session of April 18, 2024

MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

Note that M.G.L. c. 66, § 6A(d) provides that “[a]n electronically produced document submitted to an agency . . . for use in deliberations by a public body shall be provided in an electronic format at the time of submission.”

2a.

MASSACHUSETTS PEACE OFFICER STANDARDS AND TRAINING COMMISSION
Public Meeting Minutes
April 18, 2024
8:30 am

Documents Distributed in Advance of Meeting

- March 21, 2024 Public Meeting Minutes
- Executive Director Report
- Massachusetts POST Commission 2023 Annual Report
- Finance and Administrative Update

In Attendance

- Commission Chair Margaret R. Hinkle
- Commissioner Lester Baker
- Commissioner Hanya H. Bluestone
- Commissioner Lawrence Calderone
- Commissioner Larry Ellison
- Commissioner Deborah Hall
- Commissioner Marsha V. Kazarosian
- Commissioner Clyde Talley

1. Call to Order

- At 8:38 a.m., Chair Hinkle welcomed the public to the 49th public meeting of the Commission and called the meeting to order.
- Chair Hinkle took a roll call of the Commissioners present. Roll call proceeded as follows:
 - Commissioner Baker – Present
 - Commissioner Bluestone – Present
 - Commissioner Calderone – Present
 - Commissioner Ellison – Present
 - Commissioner Hall – Present
 - Commissioner Kazarosian – Present
 - Commissioner Talley – Present

2. Approval of March 21, 2024 minutes

- Chair Hinkle asked for a motion to approve the March minutes.
- Commissioner Kazarosian moved to approve the minutes.
- Commissioner Ellison seconded the motion.
- The Commissioners voted as follows:
 - Commissioner Baker – Yes
 - Commissioner Bluestone – Yes
 - Commissioner Calderone – Yes
 - Commissioner Ellison – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes
 - Commissioner Talley – Yes
 - Chair Hinkle – Yes
- The March minutes were unanimously approved.

3. Executive Director Report – Enrique A. Zuniga

- Executive Director Zuniga offered a PowerPoint presentation.

Certification Update:

- He reported that the Division of Police Certification is preparing for the recertification of officers with last names Q-Z. This will be the last group of officers certified by POST for the first time.
- The certification portal will open on May 1, 2024. The deadline to submit information to POST is June 30, 2024. Agencies can request extensions to submit information prior to that date.
- There were no major changes to the recertification process since last year when the certification portal opened for the first time.
- The Division of Police Certification staff is underway with the process of collecting certification information, contacting agencies and reminding them about the recertification requirements, and providing support for any issues that arose.
- This will be the final group of officers that will be certified for the first time. After this batch of officers, POST will be established as the system of record on the certification status of all active officers in the Commonwealth.
- The subcommittee on certification has met three times since the Commission voted to create it. An update is expected to be provided at the May public meeting.
- Executive Director Zuniga clarified a statement made during the March public meeting. He initially said individuals can sign up for automated notifications. Instead, individuals listed as the contact or owner of a complaint in the portal will receive automated notifications of upcoming deadlines.
- The contact person can be changed or re-designated in the portal. The person designated as the main contact person will get automated notifications.
- Agencies were given the month of April to update complaints and reports that were preloaded into the portal. These complaints were submitted between February 1, 2023, and March 5, 2024.
- About 700 users with login credentials have actively interacted with the portal.

Annual Report:

- A draft of the second annual report was included in the public meeting materials. It provided a summary of the Commission's activities and reports from each division.
- Key milestones from last year included the certification of school resource officers, issuance of disciplinary records, and the full implementation of the adjudicatory process.
- Executive Director Zuniga compared certain agency indicators from previous annual reports. The number of complaints POST received increased significantly each year.
- Executive Director Zuniga closed his report with a brief financial summary. POST had a \$9.7 million budget for fiscal year 2024. Total expenditures are projected to be just over \$8 million at the end of this fiscal year. There will be about a \$1.6 million reversion back to the General Fund.
- The fiscal year 2025 budget submitted to the House Ways and Means Committee is \$8.75 million. The budget decrease is mostly due to decreased spending on technology for fiscal year 2025.
- Commissioner Ellison asked whether the increase in the number of complaints is coming from the general public or agencies.
- The figures represented complaints from the public.

4. Gregg Bigda Oral Arguments - Case No. 2023-002-C

- The Parties in the Bigda matter presented 15-minute oral arguments before the full Commission.
- Attorney Keavany, the Appellant’s representative, presented first. He requested to reserve three minutes for rebuttal to the Enforcement Counsel’s argument.
- Attorney Keavany summarized the arguments made in the memorandum objecting to the Presiding Officer’s Initial Decision.
- He argued that the Initial Decision did not indicate what standard of review was applied by the Presiding Officer.
- He also argued that the regulations in 555 CMR 7.05(4) exclude the Commission from considering incidents of misconduct in which the officer already received discipline unless there are allegations that the officer engaged in multiple instances of similar or related misconduct. He stated that the Presiding Officer should not have considered the Palmer Incident, East Longmeadow Incident, and OUI arrest in the Initial Decision because Officer Bigda was disciplined for them, and they were unrelated events.
- He said Officer Bigda’s treatment during the recertification process was distinct and inconsistent with the treatment of other law enforcement officers from the City of Springfield.
- He said that Officer Bigda’s procedural due process rights were denied and he did not have a fair opportunity to present evidence because his request to continue the hearing was denied.
- Attorney Martinez presented on behalf of the Division of Police Certification. He said Officer Bigda did not meet his burden of showing substantial evidence that his recertification was warranted in this matter.
- He said Attorney Keavany did not cite any case law to support the argument that the Presiding Officer must explicitly state the burden of proof in his decision.
- Regarding Attorney Keavany’s cite to 555 CMR 7.05(4), Attorney Martinez said Officer Bigda’s multiple instances of misconduct reveal he does not have the requisite good moral character and fitness.
- Attorney Martinez provided a summary of the East Longmeadow and Palmer incidents. He concluded that Officer Bigda did not meet his burden of substantial evidence to show that recertification is warranted.
- In reply, Attorney Keavany reiterated that the Commission should consider whether there were multiple incidents of similar misconduct in the Palmer and East Longmeadow incidents.
- Chair Hinkle concluded that portion of the agenda and told the Parties that the Commission would address the issues raised in a separate session.
- Chair Hinkle returned to Executive Director Zuniga’s report. He said he concluded the report and asked the Commissioners for questions.
- There were no questions.

6. Matters Not Anticipated by the Chair at the Time of Posting

- The Chair indicated that she did not believe there were any matters not anticipated at the time of the posting of the meeting notice.

7. Executive Session

- The Chair raised the issue of moving into executive session in accordance with M.G.L. c. 30A, § 21(a)(5), in anticipation of discussion regarding the investigation of charges of

criminal misconduct; under M.G.L. c. 30A, § 21(a)(7), combined with M.G.L. c. 6E, § (8)(c)(2), and to the extent they may be applicable, M.G.L. c. 6, §§ 168 and 178, in anticipation of discussion regarding the initiation of preliminary inquiries and initial staff review related to the same and regarding certain criminal offender record information; and M.G.L. c. 30A, § 21(a)(7), combined with M.G.L. c. 30A, § 22(f) and (g), in anticipation of discussion and approval of the minutes of the prior executive session.

- The Chair informed members of the public that the Commission would not reconvene its public meeting after the executive session. There was a motion by Commissioner Ellison, seconded by Commissioner Kazarosian.
- The Chair took a roll call vote on the motion. The Commissioners voted as follows.
 - Commissioner Baker – Yes
 - Commissioner Bluestone – Yes
 - Commissioner Calderone – Yes
 - Commissioner Ellison – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes
 - Commissioner Talley – Yes
 - Chair Hinkle – Yes
- The motion unanimously carried.
- The Chair informed members of the public that the Commission would not reconvene its public meeting after the executive session.
- The Chair thanked the public, and the public meeting was adjourned at 10:52 a.m.

3.



Executive Director Report

May 22, 2024



Agenda

1. Certification Update (Q-Z)
2. Disciplinary Records Update (Catch-up Project)
3. Finance & Budget Update

Certification Update



Certification Efforts

- Certification Portal opened on **May 1, 2024**
- Officers to be certified are those with last names Q-Z
- Submission deadline (or request extensions) is June 30, 2024
- The Division of Certification has made improvements to the workflow for processing information
- This includes uploading information from MPTC to corroborate in real time compliance with Bridge Academy, and training requirements including In-Service training

Certification Update (Q-Z)



Certification Efforts

- The Division has begun processing applications in real time and will begin sending notices as early as July 1, 2024

Certification Figures	Total
Number of Certification Requests Expected (Q-Z)	4,236
Certification Requests submitted (as of May 20, 2024)	805

Disciplinary Records Update



2023 Catch-Up Project

Records transmitted to POST between 1/31/23 and 3/5/24

- January 31, 2023 - cutoff date for HDR
- March 5, 2024 – Portal opening date
- POST uploaded information into the portal and asked agencies to review and closeout, as necessary
- POST and agencies continue to make progress closing out complaints that had been pre-populated to the portal

Disciplinary Records Update



2023 Catch-Up Project

- ~90% of these records are for incidents that occurred before December 31, 2023
- POST has reminded agencies of the requirement to close out complaints several times
- Second deadline to closeout those complaints/records was May 17, 2024

Disciplinary Records Update



2023 Catch-Up Project

- As of the 5/17 deadline there are:
 - 601 total complaints (425 closed and 176 open)
 - 69 complaints by 35 departments with 1+ complaints past due
- POST has alerted agencies that if those catch-up complaint are not closed, POST will report or publish the aggregate number of complaints pending by Agency

Finance & Administrative Update

F&A Update



FY25 Budget Development

- House wrapped up budget debate on April 26th
 - POST maintained \$8.75M appropriation
- Senate Ways & Means Committee unveiled its version of the budget on May 7th
 - Reduced POST's appropriation by \$90K; from \$8.75M to \$8.66M
 - Sen. Eldridge sponsoring restoration amendment
 - Debate on 1,100 amendments started earlier this week on Monday, May 20th
 - Tracking five amendments of interest
- **Next Step:** Following Senate engrossment of budget, Conference Committee will be appointed sometime next week

F&A Update



FY24 Activity

- Year End Forecast
 - Maintaining just over \$8M for spending projections
- IT Procurements
 - New Website Development: Almost 50% completed
 - Business Intelligence Tool for Analytics: Tableau licenses & development support
- Internal Controls
 - ICWG: Annual review of Risk Assessments
 - ICP: Annual review & update
 - CTR's new annual protocol: **ICC**

F&A Update



Hiring

- Welcome Recent Hires:
 - Sai Ram Kurshal Puranam – IT Data Analyst
 - Alexa Hyde – DPC Data Analyst
 - Steven Scichilone – DPS Intake Coordinator
 - Annie Lee – LGL Counsel
 - Michael Bergin – LGL Intern
- Open/Posted Positions:
 - DPS Deputy Director
 - Enforcement Counsel
 - Counsel
 - Paralegal - Admin



Massachusetts Peace Officer Standards & Training
POSTC-comments@mass.gov
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4a.



MAINTAINING,
REPORTING, AND
AUDITING OF
LAW ENFORCEMENT
RECORDS AND
INFORMATION

Randall E. Ravitz, General Counsel
December 2023



DRAFT IN PACKET

- Consistent with presentations in May and November.
- Early draft to provide a starting point and generate discussion, and not for a vote.
- Possible refinements are already being identified, e.g.:
 - Table of Contents and section numbering;
 - Section on Areas of Examination in Audits;
 - Incorporation of other regulations;
 - Other information regarding uses of force, injuries, and deaths.
- Other steps can be taken.



GOALS OF DRAFT REGULATIONS

- Ensure the recording and preservation of important information, without limiting other recording and preservation obligations.
- Provide a way to promote consistency in terminology and recordkeeping.
- Collect information that the Legislature expected the Commission to collect.
- Obtain information that the Commission has found it needs.
- Fulfill the statutory obligation to “promulgate rules and regulations establishing an audit procedure” that “shall not limit the ability of the division of police standards to initiate an audit at any time and for any reason.”



- Facilitate the implementation of other provisions regarding investigation, inspection of records, gathering of information, and executing Chapter 6E.
- Not limit areas of examination to the complaints and investigations referenced in Section 8(d); and allowing flexibility.
- Expressly authorize Commission auditors to take certain steps.
- Inform agencies what's expected of them, and what they can expect, in audits.
- Highlight achievements and best practices, and ensure that they are replicated.



SELECTED DECISION POINTS

- Should the regulations include provisions regarding each of the following, as the draft does now?:
 - Agency maintenance and reporting of in-service training information;
 - Recordkeeping, reporting, and auditing of officers, and of certified individuals who are not serving;
 - In audits, examining not just recordkeeping and reporting, but also:
 - Compliance with sources of authority, directives, and standards; and
 - Performance;
 - In audits, examining not just matters related to complaints and investigations, but also:
 - Other areas that feature prominently in Chapter 6E;
 - Additional areas that are law enforcement-related; and
 - Further areas related to agency management but not strictly law enforcement-related (e.g., human resources practices and efficiency); and
 - Examining other information relevant to policymaking or a matter of public interest.



PROVISIONS OF DRAFT REGULATIONS

- **AGENCY CREATION AND MAINTENANCE OF RECORDS**

- For each officer, an agency must create and maintain certain records (in most cases “a record”) of the following, putting a copy in the officer’s personnel file if practicable:
 - Areas that feature prominently in Chapter 6E:
 - Personnel information required by statute;
 - Key officer certification information (in most case, if “any” step is taken);
 - Key school resource officer information;
 - Complaints, investigations, and disciplinary matters;
 - Completion or non-completion of in-service training and retraining;
 - Uses of force, injuries, and deaths (mostly already required); and
 - Commendations; and
 - Anything else designated.



- An agency must also maintain certain records it has created, such as:
 - Every record related to alleged misconduct;
 - Every policy; official communication of a policy, annual and periodic report, and job description; and contract;
 - Records exchanged with other auditors and their reports; and
 - Others designated.

- “The Commission may require an agency to employ certain terminology regarding the disposition of complaints or other matters, or certain recordkeeping practices.”

- An agency must comply with M.G.L. c. 149, § 52C.

- An agency must ensure accuracy in records.



- **AGENCY REPORTING OF INFORMATION**

- An agency must report certain information immediately, such as certain:
 - Allegations of misconduct; and
 - Updates on matters related to Commission certification and discipline.
- An agency must also report certain other information, such as records of completion of training, as instructed.
- An agency must ensure accuracy in representations to the Commission.
- Privileged information need not be disclosed (as stated in the Scope section).



- **AGENCY LIAISON TO COMMISSION**

- An agency must designate one.

- **INDIVIDUAL MAINTENANCE AND REPORTING OF INFORMATION**

- An officer or certified individual must maintain certain of the same information.

- Such an individual must report certain contact information for the individual and a collective bargaining representative.

- Again, privileged information need not be disclosed.



- **PROCEDURES FOR AUDITS**

- Auditors may require certain steps to be taken by:
 - An agency auditee, such as designating personnel, providing access and information, participation, and follow-up action;
 - Its members, such as answering questions; and
 - An individual auditee (i.e., an officers and certified individuals).
- Auditors may also take steps such as:
 - Reviewing records;
 - Developing plans for the audit or the future;
 - Publicizing results and maintain the confidentiality of information; and
 - Publicizing achievements and best practices.



● AREAS OF EXAMINATION IN AUDITS

- An audit may examine any areas related to the Commission's statutory charge, including agency or individual functioning, generally or with respect to a particular matter, as to:
 - Recordkeeping and reporting;
 - Compliance with laws, directives, and standards;
 - The adequacy of investigations and determinations;
 - Communication, internally and externally; and
 - Other aspects of performance.



- An audit may focus on any subjects related to the Commission's statutory charge, including:
 - Areas that feature prominently in Chapter 6E;
 - The law concerning evidence disclosure, civil rights, criminal procedure, labor & employment, and public records; and
 - Other law enforcement activity.
- Other substantive information relevant to policymaking or of public interest.



- **VERIFICATION OF INFORMATION**

- An agency or individual may be required to prepare certain statements, such as those authenticating records, where not precluded by law.

- **ENFORCEMENT AND DISCIPLINARY ACTION**

- Based on noncompliance, obstruction, or information obtained.
- Possible actions:
 - Referral for civil or criminal enforcement;
 - Disciplinary action; and
 - Assessments by a vote of the Commissioners.



NEXT STEPS

- There will be more research.
- There will be more solicitation of ideas and reactions from those inside and outside our agency.
- The drafting process will continue.
- Any thoughts are invited.
- Proposed text is most helpful.



Thank you.

555 CMR 12.00: MAINTENANCE, REPORTING, AND AUDITS OF LAW ENFORCEMENT RECORDS AND INFORMATION

Section

- 12.01: Authority
- 12.02: Scope
- 12.03: Definitions
- 12.04: Agency Creation and Maintenance of Records
- 12.05: Agency Reporting of Information
- 12.06: Agency Liaison to Commission
- 12.07: Officer Maintenance and Reporting of Information
- 12.08: Procedures for Audits
- 12.09: Areas of Examination in Audits
- 12.10: Verification of Information
- 12.11: Sufficiency of Notice
- 12.12: Enforcement and Disciplinary Action

12.01: Authority

- (1) The Commission promulgates 555 CMR 12.00 pursuant to M.G.L. c. 6E, §§ 3(a) and 8(d).

12.02: Scope

- (1) 555 CMR 12.00 governs:
 - (a) The creation and maintenance of records by agencies and officers;
 - (b) The reporting of information by agencies and officers; and
 - (c) The auditing of agencies and officers by or on behalf of the Commission, pursuant to M.G.L. c. 6E, § 8(d) or otherwise.
- (2) Nothing in 555 CMR 12.00 is intended to:
 - (a) Limit any obligations that law enforcement agencies and officers otherwise have under M.G.L. c. 6E, 555 CMR, or another source of authority; or any practices that are consistent with generally accepted law enforcement or human resources standards;
 - (b) Limit the ability of the Commission to initiate an audit at any time and for any reason;
 - (c) Establish a standard of care or create any power, right, benefit, entitlement, remedy, cause of action, claim, defense, immunity, privilege, or protection on the part of any other person or entity, except as expressly provided; or
 - (d) Otherwise waive or limit any power, right, benefit, entitlement, remedy, cause of action, claim, defense, immunity, privilege, or protection that may be available to the Commission.
- (3) Nothing in 555 CMR 12.00 is intended to require an agency or officer to furnish any item that is protected by a privilege against disclosure recognized by law and held by that agency or officer.

12.03: Definitions

- (1) 555 CMR 12.00 incorporates all definitions and rules of construction set forth in 555 CMR 2.02: *Definitions* and 2.03: *Construction*, except those definitions of terms that are defined in 555 CMR 12.03(2).
- (2) For the purposes of 555 CMR 12.00, the following terms have the following meanings, unless the context requires otherwise:


Agency. A law enforcement agency as defined in M.G.L. c. 6E, § 1.

Audit. An audit of agency or officer records conducted by or on behalf of the Commission pursuant to M.G.L. c. 6E, §§ 3(a) and/or 8(d), or otherwise.

Body or Person of Authority. An officer's appointing authority or employer; the highest-ranking officer in the law enforcement agency; the Civil Service Commission; any arbitrator or other third-party neutral with decision-making power; and any court.

Certification. The certification of an individual as an officer pursuant to M.G.L. c. 6E, §§ 3(a) and 4, or pursuant to St. 2020, c. 253, § 102, either as an initial certification or a recertification, and regardless of whether it is subject to any condition, limitation, restriction, or suspension.

Commission. The Massachusetts Peace Officer Standards and Training Commission established pursuant to M.G.L. c. 6E, § 2, including its Commissioners and its staff.


Complaint. A complaint as defined in 555 CMR 1.01(1). 

Constable. An individual who is elected or appointed as a constable pursuant to M.G.L. c. 41, §§ 1, 91, or 91A.

Compulsory Legal Process. A summons, subpoena, judicial order, administrative agency order, or civil investigative demand.

Executive Director. The Executive Director of the Commission appointed pursuant to M.G.L. c. 6E, § 2(g), or that person's designee for relevant purposes.

Include (or Including). Include (or including) without limitation.

Maintain. With respect to a record, to preserve all parts of the record, including those that are not easily visible, and to store it in a manner that will enable it to be easily retrieved. 

Member. An officer, employee, or independent contractor.

MPTC. The Municipal Police Training Committee within the Executive Office of Public Safety and Security established pursuant to M.G.L. c. 6, § 116.

Officer. A law enforcement officer as defined in M.G.L. c. 6E, § 1, or an individual who possesses an officer certification.

Officer Certification. A certification of an individual as an officer pursuant to M.G.L. c. 6E, §§ 3(a) and 4, or pursuant to St. 2020, c. 253, § 102, regardless of whether it is subject to any condition, limitation, restriction, or suspension.

Official. Authorized or approved by a proper authority.

Policy. Any policy, rule, regulation, protocol, standard, guideline, operating procedures, other procedure, decree, directive, mandate, manual, handbook, guide, advisory, form of guidance, plan, mission statement or comparable statement, organizational chart, or memorandum of understanding that is duly approved by appropriate personnel and issued in writing.

Recertification. A type of certification involving a renewal of a previously granted certification.

Record. Any form of record, book, paper, document, written material, data, or information, regardless of whether it is a type of record referenced in M.G.L. c. 6E, § 8(d), and regardless of whether it is a “public record” under M.G.L. c. 4, § 7, cl. 26.

SRO. A school resource officer as defined in 555 CMR 10.03(2).

SRO Certification. An initial specialized certification of an individual as a school resource officer pursuant to M.G.L. c. 6E, §§ 3(a) and 3(b), regardless of whether it is subject to any condition, limitation, restriction, or suspension.

Suspension. When referring to an officer certification or an SRO certification, a suspension of the certification, including an administrative suspension, pursuant to M.G.L. c. 6E, §§ 3, 9, and/or 10.

12.04: Agency Creation and Maintenance of Records

(1) For each officer that an agency employs, the agency shall create and maintain the following records, with the officer identified by name, and if practicable, shall place an original or a copy of each record within the relevant officer’s personnel file:

(a) A record reflecting each of the following forms of personnel information:

1. The date of hiring;
2. The date of any separation from employment and the nature of any separation, including suspension, resignation, retirement or termination;
3. The reason for any separation from employment, including whether the separation was based on misconduct or whether the separation occurred while the appointing agency was conducting an investigation of the officer for a violation of an appointing agency’s rules, policies, or procedures or for other misconduct or improper action;
4. The date and nature of any leave time taken;
5. Any professional award, achievement, or commendation;
6. An email address that the Commission may use to correspond with the officer; and
7. The name and an email address of the head of the officer’s collective bargaining unit, if any;

(b) A record reflecting each of the following matters, with respect to officer certification:

1. Information generated by any background check;
2. Information resulting from any physical or psychological evaluation;
3. A summary of any interview;
4. Each response to any questionnaire question;
5. Any agency determination of whether an individual possesses good moral character and fitness for employment in law enforcement;
6. Any other determination of whether an individual satisfies a qualification for certification;
7. Any letter of reference or endorsement;
8. An officer’s satisfaction or failure to satisfy the conditions attached to any conditional certification; and
9. Any other information required by statute, regulation, or Commission policy related to certification;

(c) The following with respect to any SRO certification or service:

1. A record reflecting each of the matters listed in 555 CMR 12.04(1)(b);
2. Each memorandum of understanding, as defined in 555 CMR 10.03(2), that is required by law;

3. Each set of operating procedures, as defined in 555 CMR 10.03(2), that is required by law; and
4. A record reflecting the officer's places and dates of assignment as an SRO;
- (d) A record reflecting each type of complaint against, investigation of, and discipline of the officer, including any and each:
 1. Complaint against the officer;
 2. Investigation of the officer by an internal affairs unit, an internal review board, a civilian oversight board, or a comparable body;
 3. Discipline imposed on the officer, including any last chance agreement or separation agreement;
 4. Arrest of the officer;
 5. Criminal prosecution against the officer;
 6. Civil action against the officer that is related to the officer's service in law enforcement;
 7. Investigation or inquest arising from a fatality involving the officer;
 8. Civil Service Commission proceeding involving any allegation that the officer engaged in misconduct;
 9. Written reprimand of the officer;
 10. Suspension of the officer's employment or order that the officer take a leave from employment;
 11. Determination by a prosecutor's office's that the officer has engaged in, or has been accused of, misconduct that warrants not calling the officer as a witness in court or that must be disclosed to defendants; and
 12. Complaint, investigation, or disciplinary matter vacated or resolved in favor of the officer;
- (e) A record reflecting all in-service training and retraining that the officer completed, the officer's failure to complete any required in-service training or required retraining, and any mitigating factor or other explanation offered by the officer for any such failure;
- (f) The following records concerning uses of force, crowd control, injuries, and deaths:
 1. All records, including all policies, procedures, forms, reports, statements, plans, communications, and notifications, that are required to be created pursuant to 555 CMR 6.00: *Use of Force by Law Enforcement Officers* or any Commission policy;
 2. A record reflecting each serious bodily injury and officer-involved injury or death, as those terms are defined in 555 CMR 6.03, regardless of whether the injury or death was suffered by an officer or a member of the public; and
 3. A record reflecting the full content of each report submitted to the National Use of Force Data Collection database maintained by the Federal Bureau of Investigation; and
- (g) All other records, or categories of records, designated by the Commission.

(2) For each individual that is appointed or elected to serve as a constable within an agency's area of jurisdiction, the agency shall create and maintain the following records, with the constable identified by name, and if practicable, shall place an original or a copy of each record within an individual file for the constable:

- (a) A record reflecting an address, telephone number, and email address for the constable; and
- (b) A record reflecting the beginning and end dates of the constable's term or terms of appointment or election.

(3) Each agency shall additionally maintain the following records, and if practicable, shall place an original or a copy of each record within the relevant officer's personnel file:

- (a) Each set of fingerprints of an agency member that the agency has obtained;
 - (b) Each record pertaining to a type of complaint against, investigation of, or discipline of an agency officer, including each type listed in 555 CMR 12.04(1)(d);
 - (c) Each agency policy, as defined in 555 CMR 12.03;
 - (d) Each official communication by the agency to its personnel regarding its policies and applicable regulatory requirements;
 - (e) Each final and official annual report or periodic report for the agency or one of its units;
 - (f) Each final and official description of the duties, powers, or functions of the agency, or one of its units or members;
 - (g) Each contract to which the agency is a party;
 - (h) With respect to any audit, analysis, or evaluation of the agency's records, finances, budget, personnel, resources, performance, compliance with legal requirements, satisfaction of accreditation or other standards, by any internal or external auditor, analyst, evaluator, consultant, or accreditor:
 - 1. Each record exchanged between the agency and the auditor, analyst, evaluator, consultant, or accreditor; and
 - 2. Each final report resulting from the audit, analysis, or evaluation; and
 - (i) Any other records, or categories of records, designated by the Commission.
- (4) The Commission may require an agency to:
- (a) Employ certain terminology, incorporating Commission-prescribed definitions, regarding the disposition of complaints or other matters; and
 - (b) Employ certain recordkeeping practices.
- (5) Each agency head shall ensure that the agency complies with M.G.L. c. 149, § 52C.
- (6) Each agency head shall take adequate steps to ensure accuracy in representations made within agency records.

12.05: Agency Reporting of Information

- (1) Each agency shall report to the Commission regarding the following, without request, pursuant to 555 CMR 1.01 if that regulation is applicable, or otherwise immediately:
- (a) The satisfaction of conditions associated with an agency officer's conditional officer certification or conditional SRO certification;
 - (b) Each placement of an agency officer's name, or change of an agency officer's status or listing, on the National Decertification Index maintained by the International Association of Directors of Law Enforcement Standards and Training;
 - (c) The arrest of any agency officer or other agency member, lodging of any criminal charge against such an individual, or disposition of any criminal charge against such an individual;
 - (d) The assertion and disposition of any claim against any agency officer or other agency member in a civil action that relates to the member's service in law enforcement;
 - (e) The completion of in-service training required of an agency officer whose officer certification or SRO certification has been administratively suspended pursuant to M.G.L. c. 6E, §§ 3 and/or 9;
 - (f) The satisfaction of conditions required of an agency officer whose officer certification or SRO certification has been suspended, restricted, or limited pursuant to M.G.L. c. 6E, §§ 3, 9, and/or 10;
 - (g) The completion of retraining required of an agency officer pursuant to M.G.L. c. 6E, §§ 3 and/or 10(d); and
 - (h) Each material change in any circumstances, condition, or matter that provided the foundation for:

1. Any agency recommendation that the Commission suspend or revoke an individual's officer certification or SRO certification;
 2. Any agency recommendation that the Commission order an officer to undergo retraining;
 3. Any action by the Commission or any part of the Commission to pursue a suspension or revocation of the officer certification or SRO certification of an agency officer; or
 4. Any order that an agency officer undergo retraining;
- (i) Any change in:
- (a) Contact information for the officer that has been provided to the Commission;
 - (b) The officer's place of employment;
 - (c) The officer's work status, including on-leave status; or
 - (d) The name of, or contact information for, the head of the officer's collective bargaining unit, if any.
- (2) Each agency shall additionally provide the following to the Commission, in accordance with Commission instructions:
- (a) Records of completion of training by officers;
 - (b) Records concerning individuals elected or appointed to serve as constables within the agency's area of jurisdiction; and
 - (c) Any other records, or categories of records, designated by the Commission.
- (3) Each agency shall ensure accuracy in all representations it makes to the Commission.

12.06: Agency Liaison to Commission

- (1) Each agency shall designate one or more of its members to serve as a liaison to the Commission with respect to all areas in which information is exchanged between the agency and the Commission.
- (2) A liaison shall be responsible for taking the following steps, in accordance with Commission instructions:
- (a) Providing the Commission with an email address that may be used for correspondence with the Commission;
 - (b) Regularly monitoring the mailbox associated with the email address provided;
 - (c) Ensuring that the agency makes required reports, and transmissions of information, to the Commission;
 - (d) Receiving information from the Commission;
 - (e) Ensuring that Commission policies, notices, and communications are transmitted to appropriate agency members;
 - (f) Ensuring accuracy in all agency representations to the Commission; and
 - (g) Any other steps required by the Commission or the agency.

12.07: Officer Maintenance and Reporting of Information

- (1) Each officer shall:
- (a) Maintain all records listed in 555 CMR 12.04(1) that relate to, and come into the possession of, the officer;
 - (b) Provide the following to the officer's employing agency, or if the officer has no employing agency, to the Commission, in accordance with any Commission instructions:
 1. An email address that the Commission may use to correspond with the officer;
 2. The name and an email address of the head of the officer's collective bargaining unit, if any;
 3. Any change in:
 - a. Contact information for the officer that has been provided to the Commission;
 - b. The officer's place of employment;

- c. The officer's work status, including on-leave status; or
- d. The name of, or contact information for, the head of the officer's collective bargaining unit, if any;
- 4. A report of each matter listed in 555 CMR 12.05(1) that relates to the officer, immediately and without request; and
- 5. Records of completion of training;
- (c) Regularly monitor the mailbox associated with the email address that is provided pursuant to 555 CMR 12.07(1)(b)1. for messages from the Commission;
- (d) Ensure accuracy in all representations made:
 - 1. Within records related to the individual's service as an officer;
 - 2. To any body or person of authority; and
 - 3. To the Commission; and
- (e) Take any other steps required by the Commission.

12.08: Procedures for Audits

(1) The Commission may, at any time, conduct, or cause to be conducted, an audit of the records referenced in M.G.L. c. 6E, § 8(d) or other records of an agency or an officer.

(2) Steps that may be taken in a Commission audit include the following, where not precluded by law: 

- (a) Requiring an agency auditee to:
 - 1. Identify one or more members who have sufficient authority to ensure that required actions are taken and recommendations will be evaluated;
 - 2. Identify one or more members who will be available to take administrative steps that may be required as part of the audit;
 - 3. Direct agency personnel to comply with the audit;
 - 4. Provide any auditor with sufficient access to the agency head;
 - 5. Provide any auditor with sufficient access to agency records;
 - 6. Provide any auditor with materials or information that sufficiently explain the structure and operation of the agency's electronic and non-electronic recordkeeping systems;
 - 7. Provide any auditor with appropriate administrative and technical assistance;
 - 8. Provide records in a designated electronic or non-electronic format;
 - 9. Cooperate in developing and implementing an audit plan;
 - 10. Ensure that appropriate personnel complete training necessary for the audit to be effective;
 - 11. Provide written or unwritten responses to recommendations by an auditor;
 - 12. Create or contribute to creating, and follow, a plan for future action, based on the audit;
 - 13. Inform other government officials or members of the public of certain findings made by Commission auditors, to the extent appropriate; and
 - 14. Take certain steps following the audit's conclusion, including filing reports with the Commission or complying with one or more subsequent audits;
- (b) Requiring a member of an agency auditee to:
 - 1. Participate in a recorded or an unrecorded interview; and
 - 2. Complete a questionnaire or self-assessment;
- (c) Requiring an officer auditee to:
 - 1. Cooperate in developing and implementing an audit plan;
 - 2. Provide any auditor with sufficient access to records of the auditee;
 - 3. Participate in a recorded or an unrecorded interview;

4. Complete a questionnaire or self-assessment;
 5. Provide written responses to recommendations by an auditor;
 6. Create or contribute to creating, and follow, a plan for future action, based on the audit; and
 7. Take steps following the conclusion of the audit, including filing reports with the Commission or complying with one or more subsequent audits;
- (d) Reviewing any records referenced in 555 CMR 12.04 or other records;
- (e) Obtaining relevant information from individuals and entities other than the auditee;
- (f) Developing a plan for the auditee to follow, or a set of recommendations for the auditee, based on the audit;
- (g) Informing other government officials or members of the public of certain findings made by Commission auditors, to the extent appropriate;
- (h) Executing a confidentiality agreement, or otherwise maintaining confidentiality, with respect to the auditee's records and/or aspects of the audit, to the extent confidentiality is not precluded by law;
- (i) Publicizing progress, achievements, and commendable practices by agencies and officers, and offering information on such matters in informing others in law enforcement about best practices; and
- (j) Taking any other step that is consistent with the Commission's authority, or with generally accepted government auditing standards.
- (3) Commission auditors may include individuals who are not Commission employees, but are retained by the Commission and subject to Commission oversight.

(4) The Commission may also direct an agency to conduct an internal audit according to Commission guidelines.

12.09: Areas of Examination in Audits

- (1) In conducting an audit, the Commission may examine any areas related to the Commission's statutory charge, including:
- (a) Agency or officer functioning, generally or with respect to a particular matter, in the following areas:
1. Recordkeeping or reporting of information, within the agency, to the Commission, and to other entities;
 2. Compliance with directives, sources of authority, policies, and standards related to law enforcement and agency management, including:
 - a. M.G.L. c. 6E;
 - b. 555 CMR;
 - c. Commission policies;
 - d. Commission certification conditions, restrictions, and limitations;
 - e. Commission-issued compulsory legal process;
 - f. Other Commission directives;
 - g. M.G.L. c. 6, §§ 167 through 178B;
 - h. Other statutes and regulations;
 - i. Court judgments, consent decrees, orders, or rules;
 - j. Decisions by other authorities;
 - k. Other compulsory legal process;
 - l. Agency policies; and
 - m. Generally accepted law enforcement standards;
 3. The adequacy of investigations and determinations, including:
 - a. The adequacy of background investigations concerning active and prospective agency members;
 - b. The adequacy of other investigations and analysis;
 - c. The accuracy and completeness of reports and factual recitations;

- d. The adequacy of notifications to affected individuals;
 - e. The appropriateness of interview procedures;
 - f. The prevalence and adequacy of recordings and transcriptions;
 - g. The reliability of factfinding;
 - h. The appropriateness of the time devoted to processes;
 - i. The fairness of processes, and how they compare to those in comparable cases;
 - j. The sufficiency of documentation generated;
 - k. The honoring of individual rights; and
 - l. The equity and justness of results, and how they compare to those in comparable cases;
4. Internal and external communication, including:
- a. The communication of Commission and agency policies, and required notifications, to agency personnel;
 - b. The treatment of information that one agency member has reported to another;
 - c. Other communication and interaction with agency personnel;
 - d. Communication and interaction with the Commission and other agencies; and
 - e. Communication and interaction with complainants, victims, witnesses, and other members of the public; and
5. Other aspects of performance, including the sufficiency, fairness, equity, justness, soundness, timeliness, efficiency, and effectiveness of policies and activity; and
- (b) Substantive information that may warrant analysis or aid the Commission in developing or recommending policies or informing the public.

(2) A Commission audit may focus on subjects that are referenced in M.G.L. c. 6E, § 8(d) or are otherwise related to the Commission's statutory charge, including:

- (a) Officer certification;
- (b) SRO certification, activity, memoranda of understanding, and operating standards;
- (c) Agency certification, including standards concerning:
 - 1. Use of force and reporting of use of force;
 - 2. Officer code of conduct;
 - 3. Officer response procedures;
 - 4. Criminal investigation procedures;
 - 5. Juvenile operations;
 - 6. Internal affairs and officer complaint investigation procedures;
 - 7. Detainee transportation; and
 - 8. Collection and preservation of evidence;
- (d) Complaints, investigations, disciplinary matters, and misconduct involving officers, including conduct involving improper:
 - 1. Racial profiling or other forms of bias;
 - 2. Violence or dangerousness;
 - 3. Dishonesty;
 - 4. Nonintervention;
 - 5. Harassment, intimidation, or retaliation;
 - 6. Unlawfulness or obstruction of justice; or
 - 7. Unprofessionalism;
- (e) In-service training and retraining;
- (f) Uses of force, crowd control, injuries, and deaths;
- (g) The law concerning:
 - 1. The handling of evidence that may be exculpatory or otherwise relevant with respect to a criminal matter;
 - 2. Civil rights;
 - 3. Other aspects of criminal procedure;

4. Labor and employment; and
5. Public records, criminal record information, disclosure, and fair information practices;
- (h) Other law enforcement activity;
- (i) Patterns on the part of single individuals, multiple individuals within an agency, or multiple individuals in different agencies; and
- (j) Any other area relevant to the development of public policy or another matter of public interest.

12.10: Verification of Information

- (1) The Commission, where not otherwise precluded by law, may require any agency or officer to furnish a statement, including one under the pains and penalties of perjury, addressing one or more of the following:
 - (a) Whether certain information in a record is accurate;
 - (b) Whether a record is authentic;
 - (c) Whether a record is a true and accurate copy of another;
 - (d) The contents or disposition of an original record;
 - (e) The circumstances surrounding the making of the record or similar records;
 - (f) Efforts made to locate a record;
 - (g) How records are kept and maintained; and
 - (h) Whether a record has certain characteristics that may have relevance to its authenticity or evidentiary admissibility.

12.11: Sufficiency of Notice

Notice by the Commission to an agency, an officer, or the head of a collective bargaining unit, in implementing any aspect of M.G.L. c. 6E, 555 CMR, or a Commission policy, shall be sufficient if provided using an email address or other address that was furnished to the Commission, by or on behalf of the addressee or officer at issue, for such purpose.

12.12: Enforcement and Disciplinary Action

- (1) The Commission may take disciplinary action against an agency or an officer, pursuant to M.G.L. c. 6E, §§ 3(a), 4(f)(4), 5(c), 8, 9, 10, and/or 12, provided other applicable provisions of M.G.L. c. 6E and 555 CMR are satisfied, based on the following:
 - (a) A failure to comply with 555 CMR 12.00, or with a Commission audit or directive thereunder;
 - (b) A failure to be accurate in any recordkeeping or any representations to the Commission;
 - (c) Harassment, intimidation, or retaliation against any individual for taking any step, or interference with one's taking of any step, that is required by M.G.L. c. 6E, 555 CMR, the Commission, or a Commission audit; or
 - (d) Evidence of misconduct that is uncovered through a Commission audit.
- (2) The Commission may, by a vote taken in accordance with M.G.L. c. 6E, § 2(e), levy and collect assessments, fees, and fines, and impose penalties and sanctions against an agency or an officer, pursuant to M.G.L. c. 6E, § 3(a), based on a ground listed in 555 CMR 12.12(1)(a) through (d).
- (3) The Commission may refer information that it obtains through an audit to an appropriate government office for possible criminal or civil enforcement action, pursuant to M.G.L. c. 6E, §§ 3(a) and/or 8(c)(2).

REGULATORY AUTHORITY

555 CMR 12.00: M.G.L. c. 6E, §§ 3(a), 8(d).

5.



Massachusetts POST Commission

84 State Street, Suite 200 Boston, MA 02114

To: Certification Subcommittee
From: Division of Certification
Date: April 11, 2024
Subject: Proposals for Recertification of Certain Officers First Certified by POST

SUMMARY

For the reasons stated in the discussion section below, the staff recommends that the Subcommittee on Certification Policy adopt the following approach regarding upcoming expiration of certification for certain officers who were initially certified by POST.

For officers who graduated from an academy between July 1, 2021, and June 30, 2022, continue their recertification using the same recertification process for the veteran officers currently in place. This process started on June 30, 2022 (for officers with last names A-H), continued on June 30, 2023 (for officers I-P) and is scheduled to continue for the group of officers with last names Q-Z by June 30, 2024.

For officers who have been previously recertified by POST for a three-year term, have the subsequent period of certification be extended to three years *plus* their birth date. This mechanism will begin to align officers' certification expiration to their birth month, which will be a more efficient process to manage subsequent recertifications.

DISCUSSION

After July 1, 2024, all law enforcement officers in the Commonwealth will have gone through the certification process with POST at least once. To effectuate the renewal of certifications (recertifications) after this initial three-year period, the Division of Certification is making the following recommendations:

- 1.) Officers who graduated from an academy between July 1, 2021, and June 30, 2022 (the first calendar year of new officer certifications) will be certified in the same manner as the veteran I-P officers in 2023 and Q-Z in 2024.
- 2.) Officers who graduated from an academy after June 30, 2022, and the veteran officers who were grandfathered in as of July 1, 2021, will have their second certification (first renewal) expiration date extended to the month of their birth at least three but no more than four years from the date of issue.
- 3.) Annual in-service training requirements will be evaluated on an annual basis, separate from the three-year certification.

New officers between July 1, 2021, and June 30, 2022. The Certification Subcommittee is currently considering several topics that may ultimately appear on a certification renewal application. This includes whether the oral interview, physical and psychological fitness/wellbeing, and the moral character attestation should be required only at the time of initial certification, or whether these (or a version of them) should be required every three years. The subcommittee will consider potential modifications to this process and the Division of Certification would need time to implement any modifications and communicate it to agencies.

While the Subcommittee is making these determinations, the first wave of officers initially certified by POST will be required to be recertified (certifications renewed) beginning July 1, 2024.

We propose implementation of any new renewal procedures to begin no earlier than July 1, 2025. This would allow sufficient time for the Subcommittee to consider the public comment received to date, discuss potential changes and enhancements and draft or revise regulations as necessary. This date would also allow the Division of Certification to prepare new forms, fine tune processes and communicate and deploy those changes.

For those officers whose certification expires between July 1, 2024 and June 30, 2025, the Division of Certification would use the existing platform (portal) with the questionnaire and in the exact manner that was completed by agencies for the I-P and Q-Z recertifications. This questionnaire would include some information that was already provided by agencies at the time of initial certification (i.e., whether the officer has graduated from high school and completed a police academy, etc.).

Recertifications (renewals) that begin on July 1, 2025. Once the Subcommittee has finalized the renewal process over the next year and a revised questionnaire has been implemented (if so determined), the Division proposes to adjust the timing of certification expirations to the date of birth of the individual officer. Currently, most officers' certifications expire on July 1 (according to their last name). However, the certification of officers who are graduating from an academy expires three days after such graduation. This creates both a mismatch of expiration times and significant workload for both the POST Commission and on agencies. The Division of Certification is therefore suggesting that, after the initial three-year certification, an officer's certification expiration should be correlated with the month of their birthday.

For all officers, including future academy graduates after July 1, 2025, the initial certification period would remain at three years. The first renewal/second certificate would be extended over three years (but not more than four years) to expire on the officer's birthday. The process would extend to the birth month, rather than the birthday, to ease tracking requirements in the department. For instance, all officers born in February could have an expiration date of February 1, regardless of the actual date of their birth. The Division of Certification could implement procedures to notify departments monthly of their officers whose certification is expiring within 60 days – whether the expiration is on the 1st or on the actual date of birth – and allow departments to complete the renewal form during that time leading up to the expiration.

As a result of this, an officer whose certification expires July 1, 2025 who has an October birthday would be issued a renewal certification expiring October 2028. An officer whose certification expires July 1, 2025 who has a February birthday would be issued a renewal certificate expiring February 2029, so that no officer is granted a certification of less than three years. All subsequent renewals would be for the standard three years.

Over time, as new graduates are certified at the time of their academy graduation and the July 1, 2021 and veteran officers age out, the certification expiration dates would gradually level out to be distributed throughout the year. Correlating the expiration date with date of birth rather than date of graduation would expedite this change and would be an easier date for agencies, officers and POST to track.

3.) Reviewing in-service compliance separate from certification. The training year for annual in-service training runs from July 1 to June 30. Records of this training are then due to the MPTC no later than September 30. With the veteran recertification cohorts, the Division of Certification has attempted to confirm whether training from the prior training year was completed, however the September 30 reporting deadline, and the time it takes for the MPTC to implement these updates, resulted in POST issuing certificates that were due on July 1, as late as October. Given these delays and the proposal to distribute expirations more evenly throughout the year, the Division proposes un-coupling annual in-service verification of that year from the three-year certification.

The Division would still look at training compliance for the recent *completed* training years when issuing certifications. By way of example, for an officer with a certification expiring March 2025, the Division would verify compliance with in-service for TY24 (ending June 30, 2024). An officer who

was repeatedly delinquent over the last three years may have conditions attached to their certification or be denied certification, consistent with 555 CMR 9.08(2) and MGL 6E § 3(a)(4). The current training year. Conversely, the same officer with the expiring certification in March 2025 still has three months to satisfy TY25 requirements, therefore TY25 would not be a factor in issuing a recertification.

The Division of Certification will instead review the training records for all officers on an annual basis, regardless of an expiration month or year. Every fall, once the MPTC's records are updated, the Division would identify the officers who are not in compliance and reach out to those officers and their department. At that time, we would issue Administrative Suspensions, Conditional Certifications, or "Not Certified-On Leave" certificates as appropriate, depending on the circumstances.