



# MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

**UPDATED**

April 14, 2025

## CHAIR

Margaret R. Hinkle

## COMMISSIONERS

Lester Baker

Hanya H. Bluestone

Lawrence Calderone

Eddy Chrispin

Deborah Hall

Marsha V. Kazarosian

Charlene D. Luma

Rev. Clyde D. Talley

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](#), by [St. 2023, c. 2](#), and by [St. 2025, 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 #62**

**April 17, 2025**

**8:30 a.m.**

**Remote Participation via [Zoom](#)**

**Meeting ID: 917 9733 4493**

## EXECUTIVE DIRECTOR

Enrique A. Zuniga

- 1) Call to Order
- 2) Approval of Minutes
  - a) March 20, 2025
- 3) Executive Director Report – Enrique A. Zuniga
  - a) Certification Update
  - b) Budget Update
  - c) Administrative Update
- 4) Division of Standards Semi-Annual Report – Matthew P. Landry
- 5) Legal Update – Randall E. Ravitz and Annie E. Lee
  - a) Agency Certification Initiative
    - i) Discussion of draft standard on the use of force
    - ii) Discussion of draft standard on officer response procedures
  - b) Relinquishment of Certification
    - i) Discussion of proposed policy

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Boston, Massachusetts 02109

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[mass.gov/orgs/post-commission](https://mass.gov/orgs/post-commission)

## MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- 6) Matters not anticipated by the Chair at the time of posting
- 7) Executive Session in accordance with the following:
  - M.G.L. c. 30A, § 21(a)(1), to discuss “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), to discuss 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, to discuss 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), to discuss and approve the minutes of a prior Executive Session.
- a) Reports of Preliminary Inquiry in the following cases:
  - i) PI-2023-12-19-06
  - ii) PI-2025-010
  - iii) PI-2025-004
- b) Division of Standards request to enter into voluntary decertification or suspension agreement in the following cases:
  - i) PI-2024-063
  - ii) PI-2023-04-13-015
  - iii) PI-2025-009
- c) Update on the following Preliminary Inquiry matter:
  - i) PI-2024-059
- d) Division of Standards request for approval to conduct Preliminary Inquiries in the following cases:
  - i) PI-2025-018
  - ii) PI-2025-019
  - iii) PI-2025-020
  - iv) PI-2025-021
  - v) PI-2025-022
  - vi) PI-2025-023

## MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- e) Approval of the minutes of the Executive Session of March 20, 2025

*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**  
**March 20, 2025**  
**8:30 a.m.**  
**Via Zoom**

**Documents Distributed in Advance of Meeting**

- February 13, 2025, Public Meeting Minutes
- Executive Director Report
- Executive Office of the Trial Court's February 18, 2025, letter re: February 6, 2025, correspondence to Hon. Diana H. Horan, Chief Justice of the Housing Court
- Massachusetts Peace Officer Standards and Training Commission 2024 Annual Report
- Presentation regarding the results of a survey sent to police union leadership concerning physical fitness and behavioral health resources
- Memo regarding the results of a survey sent to police union leadership concerning physical fitness and behavioral health resources
- Presentation on the drafted law enforcement agency certification standards regarding the use of force and use of force reporting
- Memo concerning the drafted law enforcement agency certification standards regarding the use of force and use of force reporting
- Draft agency certification standards regarding the use of force and use of force reporting, redlined version
- Letter from the Commonwealth of Massachusetts Office of the Attorney General concerning agency certification standards
- Letter from Strategies for Youth concerning the proposed agency certification standards

**Commissioners in Attendance**

- Commission Chair Margaret R. Hinkle
- Commissioner Hanya H. Bluestone
- Commissioner Lawrence Calderone
- Commissioner Eddy Chrispin
- Commissioner Deborah Hall
- Commissioner Marsha V. Kazarosian
- Commissioner Charlene D. Luma
- Commissioner Clyde Talley

**1. Call to Order**

- The meeting began at 8:37 a.m.
- Chair Hinkle took a roll call of the Commissioners present. The roll call proceeded as follows:
  - Commissioner Bluestone – Present
  - Commissioner Calderone – Present
  - Commissioner Chrispin – Present
  - Commissioner Hall – Present
  - Commissioner Kazarosian – Present
  - Commissioner Luma – Present
  - Commissioner Talley – Present

- Chair Hinkle noted that Commissioner Lester Baker would be absent for this meeting.

## 2. **Executive Session**

- The Chair raised the issue of moving into executive session in accordance with M.G.L. c. 30A, § 21(a)(1), to discuss the discipline or dismissal of, or complaints or charges brought against a public employee, a public officer, or an individual; under 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; 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 stated that:
  - The Commissioners will be considering reports of preliminary inquiries in eight cases.
  - They will be considering the request to enter into voluntary decertification or suspension agreements with regard to three cases.
  - They will be considering requests from the Division of Police Standards to approve preliminary inquiries in ten cases.
  - They will also be hearing a motion to approve the minutes from the February executive session.
- Commissioner Calderone moved to enter into executive session. Commissioner Talley seconded the motion.
- The Chair took a roll call vote to enter executive session. The Commissioners voted as follows:
  - Commissioner Bluestone – Yes
  - Commissioner Calderone – Yes
  - Commissioner Chrispin – Yes
  - Commissioner Hall – Yes
  - Commissioner Kazarosian – Yes
  - Commissioner Luma – Yes
  - Commissioner Talley – Yes
- The motion unanimously carried.
- The Chair informed members of the public that the Commission would reconvene its public meeting at 10:30 a.m. after the executive session.
- The Commissioners entered into executive session at 8:40 a.m.
- The public meeting resumed at 10:38 a.m.
- Chair Hinkle noted that Commissioner Eddy Chrispin would be absent for the remainder of the meeting.

## 3. **Approval of Minutes**

- Chair Hinkle asked for a motion to approve the February 13, 2025, minutes. There was a motion by Commissioner Bluestone, seconded by Commissioner Calderone.
- The Commissioners voted to approve the February 2025 public meeting minutes as follows:
  - Commissioner Bluestone – Yes
  - Commissioner Calderone – Yes

- Commissioner Hall – Yes
  - Commissioner Kazarosian – Yes
  - Commissioner Luma – Yes
  - Commissioner Talley – Yes
  - Chair Hinkle – Yes
  - The minutes were unanimously approved.
4. **Executive Director Report – Enrique A. Zuniga**
- Executive Director Zuniga began his report by reminding the public that the Commission does not accept public comments or answer questions during the public meetings.
  - He emphasized that the Commission welcomes and appreciates comments and questions and that the best way to contact the Commission is through the contact information listed on the Commission’s website.
  - Executive Director Zuniga began with an update on the plan for the second round of officer recertification. He continued as follows.
    - This round of certification involves officers with last names beginning with letters “A” through “H” whose certification expires on June 30, 2025.
    - The recertification process will consist of corroborating whether an officer has current cardiopulmonary resuscitation and first aid certificates, has completed the in-service training requirements for training year 2025, and has received an attestation of good moral character and fitness for employment as an officer.
    - The process will also include agency submission of any employment status changes and disciplinary matters that have taken place since the last round of certification.
    - He noted that there was a process for conditional certification and an appeal process if an attestation of good moral character and fitness for employment as an officer was not provided to an officer.
    - The target date to open the portal and accept submissions is May 1, 2025, and training on the modifications to the portal would be available around that date.
  - Executive Director Zuniga provided an update on the topic of constables. He stated the following.
    - The Commission received a letter from the Trial Court General Counsel, subsequent to the last meeting, expressing disagreement with the Commission’s interpretation of the term “arrest” as it relates to constable duties.
    - A meeting was held on February 21, 2025, with the Worcester Police Department, several constables, General Counsel Randall E. Ravitz, and Executive Director Zuniga to discuss the Commission’s interpretation of the relevant issues.
    - A follow-up community listening session occurred on March 11, engaging individuals affected by or interested in the eviction process and the role of constables.
    - The process of requesting information from agencies about constables operating in their jurisdictions is ongoing. As of the previous week, 344 agencies had responded. Of those, 174 agencies reported having a total of 471 associated constables.
  - Executive Director Zuniga then provided an administrative update. He stated as follows.
    - The Commission submitted its required report on fiscal year 2024 activities to the Legislature by the March 15 deadline.

- Suspension reports would be updated on the Commission’s website in real time, and subscribers would receive notifications of said updates immediately. Disciplinary records continued to be updated on the website monthly.
- Efforts with a business intelligence tool, which aimed to enable more real-time reporting, were ongoing. The initial focus would be on officer certification status, with the future goal of including disciplinary records.
- A dedicated webpage for victim resources, linking to state resources, was added to the Commission’s website.
- On February 19, 2025, past Commission decisions were made available through the Social Law Library.
- The Legal Division initiated internal seminars on relevant topics, such as the law governing the Municipal Police Training Committee (“MPTC”) and the public records law.
- The Commission recently completed mandatory in-person training for staff on harassment and sexual harassment.
- Executive Director Zuniga continued with an update on the budget. He stated as follows.
  - The Commission reconciled its expenditures for fiscal year 2025 and projected reversions of approximately \$600,000 back to the Commonwealth’s fund.
  - The Commission would present its first quarter results for fiscal year 2025 at the April meeting.
  - The Commission was actively working on the fiscal year 2026 budget. Testimony for the Joint Ways and Means Committee hearing scheduled for March 28, 2025, was nearly finalized.
  - The Commission’s original budget request was just under \$9.5 million. Governor Healey’s House 1 budget was \$570,000 less than the Commission’s request.
- Executive Director Zuniga next provided a hiring update, stating as follows.
  - There have been two new additions to the Commission staff: Cassidy Clark, joining as a new Intake Coordinator, George Boateng joining as a Legal Fellow, and Olivia Scuncio joining as a Legal Intern.
  - A Deputy Director for the Division of Police Certification was scheduled to begin on April 7.
  - Positions for additional Legal Interns, a Records Access Officer, and an Information Technology Analyst were still waiting to be filled.
- Executive Director Zuniga then concluded his presentation and asked the Commissioners if they had any questions or comments.
- As no questions or comments were offered, the Chair turned the floor over to General Counsel Ravitz for the legal update.
- 5. **Legal Update – General Counsel Ravitz, Annie E. Lee, and Elizabeth B. Smith**
  - General Counsel Ravitz thanked Chair Hinkle and turned the floor over to Paralegal Smith for a review of the results from the survey regarding officer physical fitness and behavioral health that was sent to union leadership.
  - Paralegal Smith began by providing a summary of the survey and the responses received. She stated as follows.
    - The data presented reflected the responses received to date. Union leadership who had not received or submitted the survey were encouraged to contact the Commission.

- The survey was developed in coordination with the Commission and staff from the MPTC, and it mirrored the agency survey that was presented to the Commission at the December 2024 Commission meeting.
- The survey that was sent to unions was distributed on January 3, 2025, with an extended response deadline of February 21, 2025.
- A total of 60 unions responded, representing as few as five and as many as 12,000 sworn officers. Most responses came from local chapters representing small- to mid-sized agencies.
- Paralegal Smith detailed the responses regarding physical fitness. She stated the following.
  - The resources that were most commonly bargained for successfully included on-site gyms and on-duty exercise time. Additional reported resources included time off for completed workouts, incentives for passing fitness exams, and department-sponsored health screenings.
  - Unions most often reported unsuccessful efforts to secure on-duty exercise time and fitness-related stipends or reimbursements. Some also reported difficulty bargaining for fitness tests with stipends and wellness incentives.
  - Officers indicated interest in on-duty exercise time, gym stipends, and discounted access to off-site fitness facilities.
  - Most unions reported moderate to low participation in available fitness resources. The most cited challenges were time, motivation, and cost.
  - Overall officer physical fitness was most often rated as “fair” to “good.”
  - The most common recommendation for potential recertification requirements was a standard fitness test, with consideration for age, gender, and job duties. However, a significant number of respondents opposed any requirement, citing recruitment and retention concerns.
- Paralegal Smith went into detail on the responses regarding behavioral fitness. She stated as follows.
  - Successfully bargained-for resources included employee assistance programs, referrals to mental health professionals, and critical incident debriefings. Several respondents noted that behavioral health resources were often provided by municipalities, not negotiated through contracts.
  - Most unions reported that there were no behavioral health services for which they had bargained unsuccessfully. Some identified wellness visits and mental health consultant partnerships are desired but unachieved.
  - Officers reported wanting future efforts to focus on critical incident debriefing, periodic mental health evaluations, and access to mental health consultants.
  - Most officers reported being uncomfortable accessing behavioral health resources, citing stigma, time, fear of adverse employment consequences, and concern related to police reform.
  - The quality of current behavioral health services was most often rated “good” or “fair.” It was noted that equitable access across departments remained a challenge.
  - Most unions opposed mandatory behavioral health recertification requirements, citing privacy and the ineffectiveness of a one-size-fits-all approach.

- Some respondents supported voluntary wellness check-ins, peer-support models, or evaluations only when clearly warranted. Others recommended that municipalities address officer stress caused by agency leadership.
- Paralegal Smith concluded her presentation and invited questions from the Commissioners.
- Commissioner Bluestone thanked Paralegal Smith for her presentation. She then called attention to the subset of people who had expressed interest in having literature regarding physical fitness and behavioral health available to officers.
- Paralegal Smith thanked Commissioner Bluestone for calling attention to that point.
- Paralegal Smith then turned the floor over to Counsel Lee for a comparison of the union and agency survey responses.
- Counsel Lee stated as follows.
  - Both surveys sought input on ideal physical fitness and behavioral health standards. The agency survey results were presented at the December 2024 Commission meeting.
  - The most preferred option for physical fitness evaluations among both unions and agencies was the Cooper test, commonly used in MPTC-run academies. Many respondents supported aligning recertification requirements with academy-level standards for consistency.
  - Both unions and agencies emphasized that any physical fitness test, such as the Cooper test, should account for age, gender, years of service, and potential on-the-job injuries.
  - Other commonly identified options included the physical ability test, annual medical exams, and incentive-based programs.
  - Both agencies and unions included “no physical fitness standard” among their top preferences.
  - Respondents cited the individualized nature of fitness, noting that standard tests may not accurately reflect an officer’s preferred exercise method or abilities. Concerns were also raised about the potential loss of experienced officers who may not meet uniform standards.
  - While agency and union responses were generally aligned on physical fitness, they differed on behavioral health evaluations.
  - Agencies generally supported periodic mental health check-ins or wellness visits, where attendance would be mandatory but participation would be optional.
  - Unions overwhelmingly opposed mandatory behavioral health evaluations, citing concerns about intrusiveness, evaluator subjectivity, and lack of cultural competency.
  - Some agencies shared concerns raised by unions, including stigma, fear of adverse employment outcomes, and mistrust in how behavioral health data might be used by the Commission.
  - When unions supported behavioral health standards, they tended to favor an “as-needed” model, where evaluations are triggered by a critical incident, personal issue, or agency referral.
  - Agencies also recommended additional options for Commission consideration, including training and education on available resources and psychological evaluations similar to those used during pre-employment screening.

- Counsel Lee concluded her presentation and invited questions from the Commissioners.
- Commissioner Bluestone commented on the wellness visit model, noting that in the absence of formal behavioral health standards, there appears to be a general preference for this approach.
- She emphasized that the model’s success is partly due to its inclusion of both a licensed mental health professional and a peer, which is a structure that has been adopted in other states. She noted that while the model is effective, key barriers include the cost of in-person visits and the logistical challenge of officers obtaining time off to participate.
- Chair Hinkle thanked Counsel Lee and Paralegal Smith for their presentations and turned the floor over to General Counsel Ravitz.
- General Counsel Ravitz stated that he would be discussing key provisions on a proposed policy for voluntary relinquishment of certification. He stated as follows.
  - The proposed policy was included in the Commissioners’ meeting packet. No vote was being requested.
  - The policy would establish a process by which an individual could voluntarily relinquish their law enforcement certification, while ensuring the Commission retains authority to act if the individual engaged in misconduct.
  - A previous draft of the policy was brought before the Commission but was revised after concerns were raised. The new draft reflects feedback received and revisits the issue of full relinquishment.
  - Under Section 2 of the policy, an individual would submit an application on a form that outlines the policy’s terms, and that requires disclosure of criminal and relevant civil or administrative matters, agreement to the terms of the policy, and an attestation under the pains and penalties of perjury.
  - Section 3 provides that the Executive Director or designee would receive the application, share it with all staff divisions for input, and evaluate relevant disciplinary history, Commission records, and entries in the National Decertification Index (“NDI”).
  - The application would be posted publicly to solicit comment, and additional outreach could be conducted at the discretion of the Executive Director or designee.
  - Following review, the materials and a recommendation would be provided to the Chair. The application would then be presented to the full Commission for consideration at a public meeting.
  - Section 4 outlines the terms of relinquishment. An individual who relinquishes certification would no longer be eligible to serve as a law enforcement officer or perform any police duties or functions in any manner.
  - However, the Commission would retain authority to investigate and take disciplinary action related to prior conduct, including submitting information to the NDI.
  - If necessary, the Commission could reverse the relinquishment, restore certification with appropriate limitations or restrictions, and proceed with disciplinary action.
  - Whether the individual’s information remains in the public database would continue to be governed by previously adopted Commission policies.

- Counsel Ravitz concluded by inviting feedback and questions from Commissioners or members of the public.
- After establishing that no Commissioners had any questions or comments, the Chair thanked General Counsel Ravitz for his presentation and turned the floor over to Counsel Lee.
- Counsel Lee presented proposed revisions to the draft use of force and use-of-force reporting standards. She stated as follows.
  - The revisions presented were the result of continued feedback from MPTC staff, the Attorney General’s Office, and Strategies for Youth.
  - The Commission first reviewed revisions in August 2024 and again in December 2024, but did not grant preliminary approval at that time.
  - Following the December 2024 Commission meeting, the Attorney General’s Office, the MPTC, and Strategies for Youth provided feedback.
  - Revisions presented focused on two areas: de-escalation in the use-of-force standard and public complaints in the use-of-force reporting standard.
  - The first revision concerned the definition of de-escalation tactics.
    - The Attorney General’s Office recommended clarifying the role of critical thinking in de-escalation to avoid confusion and reflect common practice in MPTC training and Commission guidance.
    - The proposed revision adopted the suggested language, incorporating critical thinking as an essential component of de-escalation tactics.
    - The MPTC reviewed and supported the proposed revision.
  - The second and third revisions also addressed de-escalation, focusing on the consideration of non-criminal factors that may influence an individual’s response during interactions with officers.
    - The MPTC expressed concern that language requiring officers to assess non-criminal factors during encounters could cause hesitation and increase risk.
    - They recommended moving the assessment of non-criminal factors to the use-of-force reporting process rather than requiring real-time evaluation.
    - Counsel Lee clarified that the intent of the language was not to impose a checklist during encounters, but rather to encourage general officer awareness.
    - Proposed revisions emphasized proactive and ongoing awareness of how non-criminal factors can affect compliance. The MPTC indicated in a public meeting that they found the revision to be reasonable.
    - Strategies for Youth also suggested explicitly including age or developmental status in the list of non-criminal factors. That language was incorporated into the proposed revision.
  - The fourth revision addressed public complaints about use-of-force incidents.
    - The MPTC and Strategies for Youth raised concerns that prior language did not clearly inform individuals that they had the right to file a formal complaint.
    - The revised language requires agencies to establish a protocol for individuals to follow up on, raise concerns about, or file a complaint regarding a use-of-force incident.

- This language aims to make the complaint process more accessible while still acknowledging the value of formal procedures.
  - The MPTC reviewed the revision and indicated that they found it to be reasonable.
- Counsel Lee concluded her presentation by recommending that the draft standards be considered for preliminary approval and invited questions from the Commissioners.
- Commissioner Kazarosian commended Counsel Lee and others involved in the drafting process, noting the complexity of incorporating input from multiple stakeholders. She expressed her support for preliminary approval of the draft standards.
- Chair Hinkle asked for clarification on the term “developmental status.”
- Counsel Lee responded that, as stated by Strategies for Youth, developmental status is tied to age, particularly because of the ongoing development of the juvenile brain into the mid-twenties.
- Commissioner Bluestone noted that the term “developmental status” could also refer to individuals who have not met typical developmental milestones due to conditions such as autism or other mental health or developmental conditions. She suggested further clarification might be helpful.
- Commissioner Luma agreed with Commissioner Bluestone and also recommended that the language be clarified.
- Counsel Lee thanked Commissioners Bluestone and Luma and stated that she would follow up with Strategies for Youth for further clarification.
- She also reminded the Commission that a model use-of-force policy would be developed jointly with the MPTC, and it could be used to further clarify this concept.
- Commissioner Luma raised a question about the use of the phrase “encourage officers to be conscious of non-criminal factors” and asked how the Commission would assess whether an officer had, in fact, demonstrated that awareness.
- Counsel Lee responded that the standard was intended as guidance for agency policy, not as a tool to evaluate individual officers. She acknowledged that “being conscious” is difficult to measure and explained that the language was better suited to a policy statement or statement of purpose rather than a metric for evaluation.
- Chair Hinkle asked Counsel Lee to confirm what action was being requested.
- Counsel Lee stated that she was seeking preliminary approval of the two draft standards.
- Commissioner Talley suggested revising the language to say officers should be “aware” rather than “conscious” of non-criminal factors.
- Counsel Lee agreed that this revision could be made and stated that it could be treated as an oral revision for the time being, with follow-up in writing.
- Chair Hinkle confirmed that the action being requested at the meeting was preliminary approval of the two draft standards. Counsel Lee confirmed.
- Commissioner Bluestone stated that she would approve but asked for additional clarification on the developmental issue.
- The Chair took a roll call vote to approve the drafts for preliminary approval with the revisions suggested by Commissioners Talley and Bluestone. The Commissioners voted as follows.
  - Commissioner Bluestone – Yes
  - Commissioner Calderone – Yes

- Commissioner Hall – Yes
- Commissioner Kazarosian – Yes
- Commissioner Luma – Yes
- Commissioner Talley – Yes
- Chair Hinkle – Yes
- The motion unanimously carried.

**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.

**6. Meeting Adjournment**

- The Chair took a roll call vote to adjourn the meeting. The Commissioners voted as follows.
  - Commissioner Bluestone – Yes
  - Commissioner Calderone – Yes
  - Commissioner Hall – Yes
  - Commissioner Kazarosian – Yes
  - Commissioner Luma – Yes
  - Commissioner Talley – Yes
  - Chair Hinkle – Yes
- The motion unanimously carried.
- The Chair thanked the staff for their extraordinary work, and the public meeting was adjourned at 11:47 a.m.

**Summary of Matters Voted on by the Commission**

- Approval of minutes of February 13, 2025, meeting.
  - The Commission voted to approve the minutes included in the meeting packet.
- Draft law enforcement agency certification standards regarding the use of force and use of force reporting, redlined version.
  - The Commission unanimously voted to approve the draft with the incorporation of revisions as suggested by Commissioner Bluestone and Commissioner Talley.
  - The suggested revisions can be found on page ten, and they are as follows.
    - Commissioner Bluestone noted that the term “developmental status” could also refer to individuals who have not met typical developmental milestones due to conditions such as autism or other mental health or developmental conditions. She suggested further clarification might be helpful.
    - Commissioner Talley suggested revising the language to say officers should be “aware” rather than “conscious” of non-criminal factors.

3.



# Executive Director Report

April 17, 2025

[POSTC-comments@mass.gov](mailto:POSTC-comments@mass.gov)  
[www.mapostcommission.gov](http://www.mapostcommission.gov)  
617-701-8401



# Agenda

1. Certification Update
2. Budget Update
3. Administrative Update

# Certification Update

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## Recertification of Incumbent Officers (A-H) – July 1, 2025

- Second time POST will be certifying largest group of individual officers
- Streamlined version of certification consists of confirming officer information and verify changes since last certification
- 3-year cycle is an opportunity to maintain records up to date
- POST and MPTC share information regularly. Cycle allows MPTC to confirm and update officer information

# Certification Update

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## Recertification of Incumbent Officers (A-H) – July 1, 2025

### Anticipated Portal Opening (streamlined version) May 5, 2025

- Modifications to questions in the Portal are on-going
- Certification and IT teams performing analytics & outreach
  - ✓ Reaching out to and/or rescinding access to users with no log-ins
  - ✓ Reaching out to Heads of Agencies to explain process
- Process for individuals with certification expiration before July 1, 2025 and academy graduates remains the same
- Certification durations will be extended to 3 years plus birth month

# Certification Update

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## Recertification of Incumbent Officers (A-H) – July 1, 2025

Estimated Certification Numbers:

Recertification Numbers Anticipated for July 1, 2025	Estimate
All Certified Officers eligible for recertification	7,852
All SRO's eligible for recertification	225
Chiefs Requiring Attestation from Appointing Authority	200
Unassociated Officers which Certification will Expire July 1, 2025	686 *
Officers on Leave (Medical, Military, Administrative)	185 **

\* The Certification of Unassociated officers will be marked “Expired” after July 1, 2025

\*\* Certification Division verifying that status of those on leave has not changed

# Certification Update

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## Unassociated Officers

- Agencies are required to notify POST of changes about Job Status, including when officers leave for any reason (transfer, retirement, resignation, termination or resign/retire in lieu of discipline).
- Except for transfers, officers are marked as “Unassociated Officers” at that time
- Certification may still be valid until some future date
- The certification of Unassociated Officers will be marked as “Expired” at the end of the certification period
- Unassociated Officer and/or Hiring Agency may apply for certification. POST looks at reasons for leaving prior assignment

# Certification Update

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## Certification – Next Steps

- Modifications to Portal - Opening May 5, 2025
- All information to be updated directly in the portal (no longer offering imports to largest agencies)
- Attestation and Changes for Chiefs is on-going
- Letter to Chiefs mid April
- Training / Office Hours first weeks in May
- Systemic Review of In-Service Training – Conditional Certification for non-compliance

# Budget Update

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## FY25 3<sup>rd</sup> Quarter

- 66% of Budget is Committed
- Continue to realize savings in payroll due to fluctuation in onboarding and hours
- Payroll savings more than offsets additional expenses in operations and IT
- Q3 report is included in meeting packet

# Budget Update

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## FY26 Budget Development

- Testimony before Joint Ways & Means March 28
- House Ways & Means budget unveiled April 16
- House debates/amends budget
- Senate Ways & Means unveils budget mid-May

# Administrative Update

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## Human Resource Update - Hiring

- Welcome New Members:
  - Heather Hall, Deputy Director of Certification
- Pending/Future:
  - Record Access Officer (Legal Division) – Position Posted
  - Information Technology Analyst – Position Posted
  - Interns (Legal, Standards, IT)



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Massachusetts Peace Officer Standards & Training  
POSTC-comments@mass.gov  
www.mapostcommission.gov  
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## 2025 QUICK REFERENCE GUIDE

<b>Last Name</b>	
<b>First Name</b>	
<b>Middle Initial</b>	
<b>Date of Birth</b>	
<b>MPTC User-ID</b>	
<b>Employing Agency Name</b>	
<b>Officer Type</b>	Select from choices: <ul style="list-style-type: none"> <li>• Full-time</li> <li>• Part-time</li> <li>• Details only</li> </ul>
<b>Employment Status</b>	Select from choices: <ul style="list-style-type: none"> <li>• Active</li> <li>• Out on Leave</li> <li>• Suspended by Agency</li> <li>• Inactive</li> </ul>
<b>Employment Sub-status</b>	Select from choices: <ul style="list-style-type: none"> <li>• Active               <ul style="list-style-type: none"> <li>○ Regular Duty</li> <li>○ Modified Duty/Admin Duty</li> <li>○ Details Only</li> </ul> </li> <li>• Out on Leave               <ul style="list-style-type: none"> <li>○ Administrative</li> <li>○ Medical/Injured- on Duty</li> <li>○ Chemotherapy/radiation</li> <li>○ Military</li> <li>○ Leave of Absence</li> <li>○ FMLA</li> <li>○ Parental leave</li> <li>○ Workers' compensation</li> </ul> </li> <li>• Inactive               <ul style="list-style-type: none"> <li>○ Terminated for cause</li> <li>○ Resigned in good standing</li> <li>○ Resigned in lieu of discipline/ during investigation</li> <li>○ Retired in good standing</li> </ul> </li> </ul>
<b>Work Email Address</b>	
<b>Personal Email Address</b>	
<b>Mailing Address</b>	
<b>Communication Preference</b>	Select from choices: <ul style="list-style-type: none"> <li>• Email</li> <li>• US Postal Mail service</li> </ul>

## 2025 QUICK REFERENCE GUIDE

RECERTIFICATION QUESTIONS	
<b>Evaluator's Name</b>	
<b>Has the officer completed the annual in-service training for FY25?</b>	Yes/No
<b>Does the officer possess current first aid and CPR certifications?</b>	Yes/No
<b>Has the officer ever been convicted of a felony by any Federal or state court?</b> <i>(Answer "Yes" to this question if the officer admitted to sufficient facts, received a Continuance Without a Finding (CWOFF) or equivalent disposition, or was sentenced to a term of probation for any felony offense, even if the matter was subsequently dismissed.)</i>	Yes/No
<b>Since the officer's last certification, has the agency submitted to the Commission all reports regarding the officer that were required under M.G.L. c. 6E, § 8 and 555 CMR 1.01?</b> <i>(this may require the agency to first provide the Commission with any information that it was required to report but neglected to provide previously.)</i>	Yes/No/Not Applicable
<b>Has the Agency Head/Designee/ Appointing Authority determined that the officer possesses good moral character and fitness for employment as a law enforcement officer?</b>	Yes/No/Not Applicable - Chief
<p><b>If you answered "no" to the previous question, please provide a brief summary explaining your reason.</b></p> <p>Please note the following:</p> <ol style="list-style-type: none"> <li><b>1.</b> Upload into the portal the non-attestation form containing a more detailed report explaining your negative attestation or non-attestation</li> <li><b>2.</b> Upload any supporting documentation</li> <li><b>3.</b> Provide a copy of such report and documentation to the officer</li> </ol>	

3b.



## MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

### MEMO

**TO:** Commissioners  
**FROM:** Finance & Administration  
**CC:** Charlene Luma; Enrique Zuniga  
**DATE:** April 10, 2025  
**RE:** F&A Update

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### **FY25 Q3**

March 31<sup>st</sup> closed the third quarter of the fiscal year. Overall spending continues to remain under budget for the Jan-Mar period (see attached *Treasurer's Report: FY25 Q3*). You will notice the last two categories of spending (*Office Maintenance/Repairs* and *IT*) are nominally over budget. But this “deficit” is artificial, as it is more than made up for with the aggregate surpluses in the other spending categories. We highlight it here for explanatory and tracking purposes. It also helps us to better forecast spending for the next fiscal year. They are explained in further detail below.

- Two-thirds of the Commission’s budget is now committed. The goal would typically be 75% of the budget for this time of year, but we are still anticipating significant reversions before the close of FY25.
- Unsurprisingly, we continue to realize material savings in the payroll category due to fluctuations in onboarding and worked hours. Altogether payroll is approximately 7% under projections.
- The reception build-out project to enhance office security is causing most of the “deficit” in the *Office Maintenance/Repairs* category, as mentioned above. Surplus funding in other categories will be re-allocated to satisfy this one-time expense.
- The *IT* spending category is currently projected to have moderately more spending than originally budgeted (11%). Similar to the *Office Maintenance/Repairs* category, surplus funding in other categories will be re-allocated to reverse the “deficit.” The increase in spending is due to the need for additional office equipment (i.e., laptops, tablets, routers, etc.), engineering support for POST’s business intelligence tool, and additional software licensing to accommodate more staff.
- The DCJIS integration IT project has been delayed due to the need for additional equipment which must be secured by TSS. However, we still anticipate the one-time project will be completed by June 30<sup>th</sup>.

### **Reversions**

Spending predictions will become more and more accurate as the fiscal year ensues. For the last few months, POST has been forecasting approximately \$500K-\$600K in reversions. The vast majority of this estimate is due to payroll savings. At this time we believe this projection should remain unchanged.

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[mass.gov/orgs/post-commission](https://mass.gov/orgs/post-commission)



## MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

### MEMO

#### **Hiring Status**

As we have been projecting for several months, the Commission is still on schedule to have all 53 positions filled by June 30<sup>th</sup>. The Division of Police Certification's deputy director was onboarded on Monday, April 7<sup>th</sup>, thereby taking the headcount to 52. The last position to be filled for the fiscal year is the IT Division's Data Analytics Manager. Interviews for this role are expected to occur within the next few weeks.

We have advanced a legal counsel position planned for FY26 to the current fiscal year. The position will serve as Records Access Officer dealing mostly with the management of the Commission's enormous public records requests. While the advancement of this position would have taken our headcount projection to 54, it was offset by the upcoming offboarding of a member of the IT Division.

#### **FY26 Budget Development**

POST testified before the Joint Committee on Ways & Means on Friday, March 28<sup>th</sup> in Clinton. While appreciating the Governor's FY26 recommendation of \$8.9 million, Chair Hinkle, Treasurer Luma, and Executive Director Zuniga highlighted the need to fulfill POST's original budget request of \$9.5 million. This figure will especially allow POST the resources to carry out the core function of auditing LEAs.

The next step in the *Budget Cycle* process is the unveiling of the House Ways & Means Committee's version of the FY26 budget. This is expected to be carried out the week of April 14<sup>th</sup>. We plan to present the House's appropriation to you during the April 17<sup>th</sup> Commission meeting.

<b>Treasurer's Report: FY25 Q3</b>	<b>FY25 FIN SP</b>	<b>MARCH</b>			<b>ANNUAL</b>
	<b>BUDGET</b>	<b>YTD EXPENDED</b>	<b>YTD INCURRED (open enc amt)</b>	<b>YTD COMMITTED</b>	<b>PROJECTED EXPEND TOTAL</b>
<b>EMPLOYEE COMPENSATION (AA) TOTAL</b>	6,407,238	4,150,069	10,000	4,160,069	5,935,582
<b>EMPLOYEE TRAVEL (BB) TOTAL</b>	25,000	9,036	0	9,036	9,036
<b>CONTRACT EMPLOYEES (CC) TOTAL</b>	130,800	54,606	0	54,606	90,606
<b>PAYROLL TAX/FRINGE (DD) TOTAL</b>	127,225	68,116	0	68,116	97,624
<b>OFFICE SUPPLIES/POSTAGE/SUBSCRIPTIONS (EE) TOTAL</b>	201,531	90,482	95,246	185,728	185,728
<b>FACILITY OPERATIONS (FF) TOTAL</b>	40,000	9,019	27,095	36,114	36,114
<b>OFFICE SPACE LEASE (GG) TOTAL</b>	631,157	458,643	157,046	615,689	615,689
<b>CONSULTANTS/LEGAL SERVICES (HH) TOTAL</b>	151,840	42,947	75,608	118,555	118,555
<b>SUPPORT/AUXILIARY SERVICES (JJ) TOTAL</b>	73,707	20,278	15,722	36,000	36,000
<b>OFFICE FURNITURE/FIXTURES/EQUIPMENT (KK) TOTAL</b>	3,000	-	0	0	0
<b>OFFICE EQUIPMENT LEASE (LL) TOTAL</b>	4,264	1,614	2,632	4,246	4,246
<b>OFFICE MAINTENANCE/REPAIRS (NN) TOTAL</b>	20,000	36,685	13,242	49,928	145,764
<b>INFORMATION TECHNOLOGY (UU) TOTAL</b>	931,714	208,286	272,362	480,648	1,034,216
<b>Grand Total :</b>	<b>8,747,476</b>	<b>5,149,781</b>	<b>668,954</b>	<b>5,818,735</b>	<b>8,309,161</b>

4.

# Division of Standards Report



# Division of Police Standards Update



## Complaint Case Load

(Reporting period: October 1, 2024 – March 30, 2025)

Complaints & Incident Reports	Number
Complaints submitted from the public	359*
Complaints submitted from law enforcement agencies via the new POST LEA portal	410

\* Not inclusive of complaints that were screened out, duplicates, etc.

- Division reviews ~30 new public complaints weekly (consistent with prior report)
- Agencies reported ~17 new complaints per week via POST LEA portal (increase)

# Division of Police Standards Update



## Preliminary Inquiry / Disciplinary Case Summary

Division of Standards Cases	Count*	Notes
Active Preliminary Inquiries (as of 10/8/2024)	<b>84</b>	
Preliminary Inquiries concluded with recommendation of discipline per M.G.L. c. 6E, § 10	<b>76</b>	<b>+18 from last update (October)</b> Includes cases with final disposition, and cases still in the adjudicatory hearing process
Preliminary Inquiries concluded without discipline	<b>15</b>	<b>+4 from last update (October)</b>
Suspensions (Active)	<b>62</b>	
Decertified Officers	<b>43</b>	<b>+13 from last update (October)</b>

5a(i).



LAW  
ENFORCEMENT  
AGENCY (“LEA”)  
CERTIFICATION

Annie E. Lee, Counsel  
April 2025



# AGENDA

- 1) Use of Force – follow up
- 2) Officer Response Procedures



# CRITICAL THINKING IN DE-ESCALATION

Prior  
Provision:

Encourage officers to be conscious of non-criminal factors, including, but not limited to, mental or physical condition, age or developmental status, language or cultural differences, the legacy of policing on vulnerable populations, and the agency's history with the public, and the fact that those factors may impact interactions between an individual and an officer, in ways that include, but are not limited to, affecting an individual's ability to understand, respond to, and comply with an officer's commands, such that an officer may have to modify their de-escalation tactics and techniques.

Revisions:

Encourage officers to be conscious of non-criminal factors, including, but not limited to, mental or physical condition, age or developmental **status maturity**, language or cultural differences, the legacy of policing on vulnerable populations, and the agency's history with the public, and the fact that those factors may impact interactions between an individual and an officer, in ways that include, but are not limited to, affecting an individual's ability to understand, respond to, and comply with an officer's commands, such that an officer may have to modify their de-escalation tactics and techniques.

Proposed  
Provision:

Encourage officers to be conscious of non-criminal factors, including, but not limited to, mental or physical condition, age or developmental maturity, language or cultural differences, the legacy of policing on vulnerable populations, and the agency's history with the public, and the fact that those factors may impact interactions between an individual and an officer, in ways that include, but are not limited to, affecting an individual's ability to understand, respond to, and comply with an officer's commands, such that an officer may have to modify their de-escalation tactics and techniques.



# STATUTORY MANDATE

M.G.L. c. 6E, § 5(b) calls on the Commission to certify LEAs in accordance with “minimum certification standards,” including:

- (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



# RESOURCES CONSULTED

- Police Executive Research Forum, *15 Principles for Reducing the Risk of Restraint-Related Death* (2024)
- Strategies for Youth, *Model Law Enforcement Policies for Youth Interactions* (2023)
- Police Executive Research Forum, *Vehicular Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks* (2023)
- Community Oriented Policing Services, *Sexual Assault Response* (2022)
- Council of State Governments Justice Center, *Responding to Homelessness: Effective Strategies for Law Enforcement* (2022)
- The White House, *Executive Order to Advance Effective, Accountable Policing and Strengthen Public Safety* (2022)
- Yale Law School Justice Collaboratory, *Principles of Procedurally Just Policing* (2018)
- Police Executive Research Forum, *Building Successful Partnerships between Law Enforcement and Public Health Agencies to Address Opioid Use* (2016)
- International Association of Chiefs of Police, *Body-Worn Cameras Model Policy* (2014)
- National Association of Counties, *Meeting the Needs of Individuals with Substance Use Disorders: Strategies for Law Enforcement*
- International Association of Chiefs of Police, 2024 Annual Conference
- Extra-jurisdictional accreditation and certification manuals
- Local LEA policies
- Public comments



# KEY ELEMENTS

- Key principles
- Officer conduct
- Responding to vulnerable people
- Different response models
- Investigatory and traffic stops
- Critical incidents
- Motor vehicle pursuits
- Body-worn cameras and vehicle recording systems
- Training



# KEY PRINCIPLES

- Highlighting from code of conduct:
  - 1) Act professionally and ethically;
  - 2) Treat others with dignity and respect;
  - 3) Act impartially and avoid the appearance of bias;
  - 4) No harassment or discrimination based on bias; and
  - 5) Act in the best interests of the most vulnerable.



# OFFICER CONDUCT

- Explain:
  - 1) What the officer is doing and why, and any applicable next steps; and
  - 2) How members of the public may follow up on, raise concerns about, or file a complaint about the agency, the officer, and/or the response.



# RESPONDING TO VULNERABLE PEOPLES

- Vulnerable people:
  - Individuals experiencing medical, behavioral, or mental health crisis;
  - Individuals experiencing substance use crisis;
  - Individuals experiencing homelessness;
  - Alleged survivors of domestic violence, sexual assault, or human trafficking;
  - Youths;
  - Individuals with disabilities;
  - Individuals experiencing poverty;
  - Veterans; and
  - Individuals who are the alleged subject of hate crime.
- Special considerations:
  - Developmentally and age appropriate, trauma-informed, racially equitable, and culturally relevant tactics;
  - Use of force and modifications;
  - Restraints and modifications;
  - Medical response;
  - Sedatives and pharmacological agents;
  - Alternatives to arrest, incarcerations, and hospitalization;
  - Diversion referrals and connections to support services; and
  - Complying with laws concerning vulnerable people.



# DIFFERENT RESPONSE MODELS

- Utilization of unarmed, professionally trained behavioral health professionals to respond to calls for service, with or without an officer.
- “Co-response,” “alternative response,” “peer response,” “crisis intervention,” etc.
- **IF** any agency utilizes or has access to such a different response, include a sub-policy or provision concerning when and how a different response will be used.



# INVESTIGATORY AND TRAFFIC STOPS

- Limit stops to circumstances in which they promote public safety and do not unnecessarily harm police-community relations by:
  - Requiring reasonable, articulable suspicion, which may not be based *solely* on protected characteristics;
  - Limiting duration and scope of stop to reasonable suspicion stop is based on; and
  - Limiting consent searches to situations where officer has reasonable, articulable suspicion to believe they will find evidence of offense stop is based on.



# CRITICAL INCIDENTS

- Sudden or progressive developments or events requiring immediate law enforcement attention and action.
  - Exs.: Disaster-related emergencies, active shooter scenarios, search and rescue, anti-terrorism.
- Sub-policy or provision so agency is prepared in event of critical incident.



# MOTOR VEHICLE PURSUITS

- Unique danger for officers and the public.
- Sub-policy or provision so agency and officers know what is appropriate and under what circumstances:
  - Initiation and termination;
  - Inter- or intra-jurisdictional pursuits; and
  - Roadblocks and other forcible stop methods.



# BODY-WORN CAMERAS AND VEHICLE RECORDING SYSTEMS

- **IF** any agency has body-worn cameras or in-car audio/visual recording systems:
  - Activation;
  - Termination;
  - Down/uploading recordings;
  - Prohibition against editing, altering, or erasing recordings;
  - Security, access, storage, and retention; and
  - Sharing in accordance with applicable law, rule, regulation, order, subpoena, or CID.



# TRAINING

- Ensure training in accordance with all applicable training requirements.



Members of law enforcement and the public are encouraged to submit comments and suggestions to [POSTC-comments@mass.gov](mailto:POSTC-comments@mass.gov)

5a(ii).



# Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

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To: Chair Margaret R. Hinkle  
Commissioner Lester Baker  
Commissioner Hanya H. Bluestone  
Commissioner Lawrence Calderone  
Commissioner Eddy Chrispin  
Commissioner Deborah Hall  
Commissioner Marsha V. Kazarosian  
Commissioner Charlene D. Luma  
Commissioner Clyde Talley

CC: Enrique A. Zuniga, Executive Director  
Randall E. Ravitz, General Counsel

From: Annie E. Lee, Counsel

Re: Law Enforcement Agency Certification Standards – Officer Response Procedures

Date: April 10, 2025

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Under Massachusetts General Laws chapter 6E, section 5(b), the Commission is directed to develop at least eight agency certification standards, of which “officer response procedures” is one.

Enclosed for the Commission’s review is a draft officer response procedures standard. This standard is presented to the Commission for discussion and feedback; it is ***not*** presented to the Commission for preliminary approval.

The draft officer response procedures standard includes the following key elements:<sup>1</sup>

- **Key principles.** This standard suggests that an agency’s officer response procedures policy should reinforce the following key principles that would be found in the

---

<sup>1</sup> The subject of officer response procedures covers a broad range of topics. In the interest of keeping the standard manageable, the draft focuses on topics (1) that are the basis for historical inequities in policing, and (2) for which best practices have recently evolved. Resources consulted in identifying those topics include white papers and model policies by the federal government (White House, Department of Justice), law enforcement led non-profits (International Association of Chiefs of Police, Police Executive Research Forum), policing reform focused non-profits (Strategies for Youth, Council of State Governments Justice Center), and academics (Yale Law School Justice Collaboratory); manuals developed by state law enforcement agency accreditation and certification programs; policies from law enforcement agencies in the Commonwealth; and public comments received by the Commission.

agency's code of conduct policy: (1) acting professionally and ethically; (2) treating others with dignity and respect; (3) acting impartially and avoiding the appearance of bias; (4) not harassing or discriminating against others based on bias; and (5) acting in the best interests of the most vulnerable populations of the public. These principles are consistent with M.G.L. c. 6E's strong emphasis on improving policing interactions with the public and ensuring bias-free policing

- Officer conduct. Because responses to calls for service are one of the primary ways that officers interact with the public, the draft standard suggests that officers should engage in certain behaviors when interacting with members of the public to increase transparency, and thereby trust, in officers and policing. Those behaviors include: (1) explaining what the officer is doing and why, and any applicable next steps the officer may take; and (2) explaining how members of the public may follow up on, raise concerns about, or file a complaint about the agency, officer, and/or the response.
- Responding to vulnerable people. Research and data demonstrate that a substantial portion of calls for service involve vulnerable people who may require special care, both from officers and the responses they provide.
  - For the purposes of this standard, vulnerable people means people who are historically and disproportionately at risk of involvement with the criminal justice system and people who may experience disproportionate harm from involvement with the criminal justice system. Vulnerable people include, but are not limited to, individuals experiencing a medical, behavioral, mental health, or substance use crisis; individuals experiencing homelessness; an individual who is the alleged survivor of domestic violence, sexual assault, or human trafficking; a youth; an individual with a disability; an individual experiencing poverty; a veteran; and an individual who is the alleged subject of a hate crime.
  - The draft standard suggests that officers can take special care with vulnerable people by utilizing developmentally and age appropriate, trauma-informed, racially equitable, and culturally relevant tactics; considering whether the use of force, and any modifications to the use of force, is appropriate; considering whether the use of restraints, and any modifications to the use of restraints, is appropriate; providing an appropriate and timely medical response, if appropriate; considering whether the administration of sedatives and pharmacological agents by officers is appropriate; considering whether appropriate alternatives to arrest, incarceration, and hospitalization are appropriate; making diversion referrals and connections to support services; and complying with laws concerning vulnerable people.
- Different response models. In recognition of the effects of policing on vulnerable people as described above, many municipalities and agencies have implemented different response models in an effort to better serve such people outside the criminal justice system. Those different response models can take many forms, but generally attempt to utilize unarmed, professionally trained behavioral health professionals to

respond to calls for service, with or without the accompaniment of an officer. Those different response models can also go by many names, whether termed a co-responder model, alternative responder model, peer responder model, or crisis intervention team. Such models, however, have not been universally adopted, in large part due to local funding constraints.

The draft standard therefore suggests that where an agency utilizes or has access to a different response model, however that different response model functions and is termed, the agency should include, as part of its officer response procedures policy, a sub-policy or provision specifying when the different response model will be used and how.

- Investigatory and traffic stops. In addition to responding to calls for services, conducting investigatory and traffic stops is another significant way that officers interact with members of the public. There is, however, a perception that investigatory and traffic stops are used as a means of racial profiling. Such perceptions, whether founded or unfounded, have the potential to erode public trust in officers and policing.

To combat these perceptions, this standard suggests that an agency should adopt a sub-policy or provision within its officer response procedures policy that limits traffic and investigatory stops to circumstances in which they promote public safety and do not unnecessarily harm police-community relations. Such a balance is achieved when officers are required to have reasonable, articulable suspicion that is not based solely on an individual's protected characteristics before initiating a stop; the duration and scope of a stop is limited to confirming or dispelling the reasonable suspicion the stop is based on; and consent searches are limited to situations where an officer has reasonable, articulable suspicion to believe they will find evidence of the criminal offense the stop is based on.

- Critical incidents. Although relatively rare, critical incidents—meaning sudden or progressive developments or events that require immediate law enforcement attention and action—pose substantial risk to the public and officers, and risk of high liability to agencies. To ensure that agencies and officers are prepared to respond in the event of a critical incident, the draft standard suggests that an agency should include a sub-policy or provision concerning responding to reports of critical incidents in its officer response procedures policy.
- Motor vehicle pursuits. Like critical incidents, motor vehicle pursuits are low-probability, high-risk events for the public and officers. To ensure that agencies and officers are prepared to engage in motor vehicle pursuits, should the need arise, the draft standard suggests that an agency should include a sub-policy or provision concerning motor vehicle pursuits so that officers know what is appropriate and under what circumstances. Such a sub-policy or provision should address the initiation and termination of a motor vehicle pursuit; inter- or intra-jurisdictional motor vehicle pursuits; and the use of roadblocks or other methods of forcibly stopping a motor vehicle.

- Body-worn cameras and vehicle recording systems. In recent years, many agencies have purchased body-worn cameras and installed in-car audio- and/or video-recording systems to promote transparency and accountability in policing. But to be successful in such efforts, agencies need to be clear about when such cameras and systems will be used and how the records from those cameras and systems will be saved, protected, and used. The draft standard therefore suggests that, where an agency has body-worn cameras and/or in-car audio- and/or video-recording systems, the agency should include, as part of its officer response procedures policy, a sub-policy or provision detailing the circumstances under which such cameras and systems will be activated and deactivated; requiring officers to regularly download or upload recordings from such systems; prohibiting officers from editing, altering, or erasing any such recordings from such systems; setting forth terms concerning the security, access, storage, and retention of such records from such systems; and requiring the agency to make available such recordings from such systems in accordance with applicable laws, rules, regulations, orders, subpoenas, or civil investigative demands.
- Training. To ensure compliance with the agency's officer response procedures policy, the draft standard suggests that agencies should ensure that all officers are trained in officer response procedures in accordance with all applicable requirements.

Commission staff is consulting with the Municipal Police Training Committee and its staff and expects to review a revised officer response procedure standard with the Commission in due course.



555 CMR 13.00: LAW ENFORCEMENT AGENCY CERTIFICATION STANDARDS

Section

- 13.01: Purpose and Scope
- 13.02: Definitions
- 13.03: Standards
- 13.04: Compliance
- 13.05: Assessment
- 13.06: Maintaining Compliance
- 13.07: Re-Assessment
- 13.08: Waiver
- 13.09: Enforcement and Disciplinary Action
- 13.10: Severability

13.02: Definitions

Agency. A Law Enforcement Agency as defined in M.G.L. c. 6E, § 1.

Bias-Free Policing. Bias-Free Policing as defined in M.G.L. c. 6E, § 1.

Consent Search. A warrantless search conducted by an officer after obtaining the voluntary consent of the individual being searched.

Complainant. The individual who initiates a call for service.

Critical Incident. A sudden or progressive development or event that requires immediate law enforcement attention and decisive action to prevent or minimize any negative impact on the health, safety, or welfare of others. Critical incidents include disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; and anti-terrorism efforts.

Different Response Model. The practice of utilizing unarmed, professionally trained behavioral health professionals, such as licensed mental health counselors, social workers, clinicians, and peer support specialists, to respond to calls for service, with or without the accompaniment of an officer. Different response models include co-response programs, alternative response programs, and crisis intervention teams.

Hate Crime. Hate Crime as defined in M.G.L. c. 22C, § 32.

Investigatory Stop. The stop and brief detention of an individual for the purpose of confirming or dispelling an officer's reasonable suspicion that the individual has committed, is committing, or is about to commit a crime.

Motor Vehicle Pursuit. The active attempt by an officer in an authorized emergency vehicle to stop the occupant of a moving motor vehicle who is refusing to stop in response to the officer's

Agency Certification Standards – Draft Officer Response Procedures (DRAFT)

lawful commands, including the activation of the officer’s motor vehicle emergency lights and siren, and is taking actions to avoid apprehension.

MPTC. The Municipal Police Training Committee as defined in M.G.L. c. 6, § 116.

Officer. A Law Enforcement Officer as defined in M.G.L. c. 6E, § 1.

Probable Cause. Reasonable belief, based on facts and circumstances within an officer’s knowledge, that an individual is committing or has committed a crime.

Reasonable Suspicion. Suspicion, based on specific and articulable facts, that an individual is committing, has committed, or is about to commit a crime, but which does not rise to the level of probable cause.

Respondent. The individual whom a call for service concerns.

Traffic Stop. The stop and brief detention of a vehicle and its driver or passengers.

Youth. An individual under the age of eighteen.

13.03: Standards

Each agency shall develop and implement written policies on the following topics in accordance with the following standards:

[RESERVED FOR STANDARDS ON OTHER SUBJECTS]

- (4) Officer response procedures. An agency’s officer response policy shall:
  - (a) Direct officers to act in accordance with the agency’s code of conduct policy developed pursuant to 555 CMR 13.03(3), emphasizing an officer’s duty to act professionally and ethically, treat others with dignity and respect, act impartially and avoid the appearance of bias, not harass or discriminate against others based on bias, and act in the best interests of the most vulnerable populations of the public;
  - (b) Direct officers, when responding to a call for service, to:
    - 1. Explain to any complainant and respondent what the officer is doing and why and any applicable next steps, when time and circumstances reasonably permit; and
    - 2. Explain to any complainant, respondent, and other individuals present at the scene how they may follow up on, raise concerns about, or file a complaint about the agency, the officer, or the agency’s and/or officer’s response;

- (c) Include a sub-policy or provision concerning responding to reports involving vulnerable people—including, but not limited to, an individual experiencing a medical, behavioral, mental health, or substance use crisis; an individual experiencing homelessness; an individual who is the alleged survivor of domestic violence, sexual assault, or human trafficking; a youth; an individual with a disability; an individual experiencing poverty; a veteran; and an individual who is the alleged subject of a hate crime—which shall:
1. Direct an officer to employ developmentally and age appropriate, trauma informed, racially equitable, and culturally relevant tactics;
  2. Set forth specific and comprehensive requirements concerning the use of force, consistent with 555 CMR 6.00, the agency’s use of force policy developed pursuant to 555 CMR 13.03(1), and any other applicable law, rule, regulation, policy, or judicial or regulatory order;
  3. Set forth specific and comprehensive requirements concerning the use of restraints, including prone restraints;
  4. Direct an officer to provide an appropriate and timely medical response, or otherwise procure appropriate medical assistance in a timely manner, if requested or needed;
  5. Set forth specific and comprehensive requirements concerning the administration of sedatives and pharmacological agents, including ketamine, outside a hospital setting by officers;
  6. Direct officers to consider utilizing appropriate alternatives to arrest, incarceration, and hospitalization, including diversion referrals focused on connecting individuals to care, when time and circumstances reasonably permit;
  7. Direct officers to make efforts to connect people in need to appropriate support services, when time and circumstances reasonably permit; and
  8. Comply with any applicable law, rule, regulation, policy, or judicial or regulatory order, including M.G.L. c. 41, § 97B;
- (d) If the agency utilizes or has access to a different response model, include a sub-policy or provision concerning the use of different response models, which shall address the circumstances under which a different response

model will be used, including when responding to reports involving vulnerable people;

- (e) Include a sub-policy or provision concerning investigatory and traffic stops that:
  - 1. Requires an officer to have a reasonable, articulable suspicion, which may not be based solely on an individual's protected characteristics in violation of bias-free policing principles or the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3), that:
    - a. The individual they seek to stop is committing, has committed, or is about to commit a criminal offense; or
    - b. A traffic violation has occurred;before initiating the stop; and
  - 2. Limits the duration and scope of the stop to confirming or dispelling the reasonable suspicion the stop is based on, unless during the course of the stop the officer develops a reasonable, articulable suspicion or probable cause to believe that another criminal offense has occurred, is occurring, or is about to occur; and
  - 3. Limits consent searches to situations in which the officer has a reasonable, articulable suspicion to believe that they will find evidence of the criminal offense the stop is based on, unless during the course of the stop the officer develops a reasonable, articulable suspicion or probable cause to believe that there is evidence of another criminal offense;
- (f) Include a sub-policy or provision concerning responding to reports of critical incidents;
- (g) Include a sub-policy or provision concerning motor vehicle pursuits that sets forth comprehensive and specific requirements concerning:
  - 1. The initiation and termination of a motor vehicle pursuit;
  - 2. Inter- or intra-jurisdiction motor vehicle pursuits; and
  - 3. The use of roadblocks or other methods to forcibly stop a motor vehicle;

- (h) If the agency has body-worn cameras or in-car audio- or video-recording systems, include a sub-policy or provision concerning the use of body-worn cameras and in-car audio- or video-recording systems that:
1. Sets forth comprehensive and specific requirements concerning the activation of an officer's body-worn camera or in-car audio- or video-recording system, including when:
    - a. Effectuating a stop, search, seizure, or arrest; and
    - b. Using force.
  2. Sets forth comprehensive and specific requirements concerning the deactivation of an officer's body-worn camera or in-car audio- or video-recording system, which shall not permit the solely and purely discretionary decision to deactivate the officer's body-worn camera or in-car audio- or video-recording system by the same officer;
  3. Directs an officer to download or upload new recordings from their body-worn camera or in-car audio- or video-recording system to the agency's designated recording storage system as soon as reasonably possible but not later than the end of the officer's shift;
  4. Prohibits an officer from editing, altering, or erasing in any manner recordings from a body-worn camera or in-car audio- or video-recording system before the recording has been downloaded or uploaded in accordance with 555 CMR 13.03(4)(h)(3);
  5. Prohibits an officer from editing, altering, or erasing in any manner any stored recording that has been downloaded or uploaded in accordance with 555 CMR 13.03(4)(h)(3);
  6. Sets forth comprehensive and specific requirements concerning the security, access, storage, and retention of recordings from officers' body-worn cameras and in-car audio- or video-recording systems in accordance with all applicable laws, rules, regulations, policies, and court or regulatory orders; and
  7. Requires the agency to promptly make recordings from officers' body-worn cameras and in-car audio- or video-recording systems available in accordance with any applicable law, rule, regulation, court or regulatory order, subpoena, or civil investigative demand of a governmental entity.

Agency Certification Standards – Draft Officer Response Procedures (DRAFT)

- (i) Ensure that all officers are trained in officer response procedures in accordance with all applicable training requirements.

DRAFT

5b(i).



# Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

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## **POLICY ON VOLUNTARY RELINQUISHMENT OF CERTIFICATION**

**(April 2025)**

**(Proposed)**

The Massachusetts Peace Officer Standards and Training Commission hereby adopts this policy concerning the voluntary relinquishment of an individual's certification as a law enforcement officer.

### **I. GENERAL PROVISIONS**

- A. For purposes of this Policy:
1. "Applicant" refers to an individual on whose behalf an application for relinquishment of certification has been submitted, regardless of whether a decision on the application has been issued;
  2. "Certification" refers to a certification as a law enforcement officer provided pursuant to M.G.L. c. 6E, §§ 3(a) and 4, or pursuant to St. 2020, c. 253, § 102;
  3. "Commission" refers to the body of POSTC Commissioners appointed pursuant to M.G.L. c. 6E, § 2(a);
  4. "Conduct" refers to action and inaction, and includes untruthfulness;
  5. "Executive Director" refers to the POSTC Executive Director appointed pursuant to M.G.L. c. 6E, § 2(g), or that person's designee for relevant purposes;
  6. "POSTC" refers to the Massachusetts Peace Officer Standards and Training Commission established under M.G.L. c. 6E, § 2 as an agency, including its Commission and its staff; and
  7. "Chair," "law enforcement agency," "law enforcement officer," and "untruthfulness" have the meanings ascribed to those terms in M.G.L. c. 6E, § 1.
- B. The POSTC reserves the ability to rescind or amend this Policy at any time.

### **II. THE APPLICATION PROCESS**

- A. The Executive Director shall provide for the development of a form to be used in applying for a relinquishment of certification that, at a minimum:
1. Instructs an applicant to address the matters listed in Section II.B below;

2. Advises an applicant to consult this Policy;
  3. Provides a copy of, or a reliable weblink to, this Policy; and
  4. Is made available on the POSTC website.
- B. An individual may apply to relinquish a certification by submitting to the Executive Director an application that:
1. Is in the form approved by the Executive Director pursuant to Section II.A above;
  2. Identifies each of the following, occurring in any jurisdiction:
    - a. Any arrest of the applicant;
    - b. Any criminal prosecution of the applicant;
    - c. Any restraining order or other court order that restricted, or imposed consequences based on, the applicant's conduct;
    - d. Any civil action or administrative agency action that involved:
      - i. The applicant's service in law enforcement; or
      - ii. Allegations that the applicant engaged in conduct that consisted of or led to:
        - (A) Unlawful bias on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level;
        - (B) A violation of civil rights;
        - (C) Violence, abuse, or excessive force;
        - (D) Prejudice to the administration of justice; or
        - (E) Injury or death;
  3. Provides detailed information regarding each matter identified in Section II.B.2 above, including, but not limited to, information on:
    - a. The substance of any allegations;
    - b. Any disciplinary or other action taken against the applicant; and
    - c. The applicant's compliance with any resulting directive;
  4. Expressly states that the applicant agrees to the terms of this Policy; and
  5. Includes an attestation to the veracity of all information in the application under the pains and penalties of perjury.

### **III. THE EVALUATION OF, AND DECISION ON, AN APPLICATION**

- A. Upon receiving an application and finding that it satisfies the requirements of Section II.B above, the Executive Director:
1. Shall provide a copy of the application to all POSTC divisions and afford each division a reasonable time within which to inform the Executive Director of any perceived issues related to the application;
  2. Shall review available records regarding the following, with respect to the applicant:
    - a. Matters of the type listed in Section II.B.2 above;
    - b. Disciplinary proceedings;
    - c. Entries in the National Decertification Index; and

- d. Information within POSTC databases;
    3. Shall post the application and invite public comment on the POSTC website; and
    4. May otherwise invite comments on the application from any law enforcement agency that previously employed the applicant or from members of the public.
- B. Upon taking the steps listed in Section III.A above, the Executive Director shall provide the following to the Chair:
  1. The application;
  2. Other information relevant to the application;
  3. A recommendation as to whether the application should be granted; and
  4. A recommendation as to whether any terms or conditions in addition to those specified in this Policy should be attached to any grant of the application.
- C. Upon receiving the items specified in Section III.B above from the Executive Director, the Chair shall place the following questions on the agenda of a Commission meeting:
  1. Whether to grant the application; and
  2. Whether to attach any additional terms or conditions to any grant of the application.
- D. If the Commission votes to grant the application without any terms or conditions additional to those specified in this Policy, its decision shall take effect at the conclusion of the meeting in which the vote was taken.
- E. If the Commission votes to grant the application with terms or conditions additional to those specified in this Policy, its decision shall not take effect unless and until:
  1. The Executive Director informs the applicant of those terms or conditions and the opportunity to withdraw the application within fourteen calendar days; and
  2. Either:
    - a. The applicant informs the Executive Director, within those fourteen days, that the application will not be withdrawn; or
    - b. Fourteen calendar days elapse without the applicant informing the Executive Director that the application will be withdrawn.
- F. If the Commission votes to deny the application, or the applicant withdraws the application within the fourteen calendar days allowed under Section III.E above, the applicant's certification will not be relinquished.

#### **IV. THE TERMS AND CONDITIONS OF RELINQUISHMENT**

- A. Upon an applicant's relinquishment of a certification:

1. The applicant will be ineligible to be appointed or employed as a law enforcement officer by a law enforcement agency in any capacity, including through any temporary, part-time, or detail assignment that constitutes such an appointment or employment, in accordance with M.G.L. c. 6E, § 4(g); and
  2. The applicant will be ineligible to execute an arrest, as defined in 555 CMR 9.02(2), or to exercise any other police duties and functions in any manner within Massachusetts, including through any temporary, part-time, or detail assignment, in accordance with 555 CMR 9.12(8).
- B. A relinquishment of certification does not constitute a revocation of certification, also known as a decertification, consistent with M.G.L. c. 6E, §§ 1, 10.
- C. A relinquishment of certification by itself does not guarantee that any information concerning the applicant will be made unavailable to members of the general public in the public database established by the POSTC pursuant to M.G.L. c. 6E, §§ 4(j) and 13(a), and 555 CMR 8.06. Such removal of information remains governed by 555 CMR 8.06, 555 CMR 8.08, and the POSTC's *Policy on Removal of Certain Information from the Commission's Public Database*.
- D. With respect to any conduct by an applicant whose certification was relinquished, if such conduct occurred when the applicant was certified or employed as a law enforcement officer or occurred as part of the application process, the POSTC may, at any point in time before or after the date when the relinquished certification would have expired under M.G.L. c. 6E, § 4(f)(3):
1. Take disciplinary action against the applicant pursuant to M.G.L. c. 6E and 555 CMR;
  2. If deemed warranted by the Commission, facilitate the pursuit of disciplinary action by reconsidering and vacating its decision to recognize a relinquishment of certification, and thus restoring the applicant's certification, with any limitation, condition, restriction, or suspension that may be appropriate, pursuant to M.G.L. c. 6E, §§ 3(a), 4, and/or 9, and, if applicable, 555 CMR 9.12; and/or
  3. Submit appropriate information regarding the applicant to the National Decertification Index, even if the applicant has not been decertified, pursuant to M.G.L. c. 6E, § 3(a), and, if applicable, M.G.L. c. 6E, §§ 10(g) and 13(b).

**APPENDIX**  
**KEY SOURCES OF AUTHORITY**

M.G.L. c. 6E, § 1

As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

....

“Chair”, the chair of the commission.

....

“Commission”, the Massachusetts peace officer standards and training commission established pursuant to section 2.

“Commissioner”, a member of the commission.

....

“Decertified”, an officer whose certification is revoked by the commission pursuant to section 10.

....

“Executive director”, the executive director of the commission appointed pursuant to subsection (g) of section 2.

“Law enforcement agency”, (i) a state, county, municipal or district law enforcement agency, including, but not limited to: a city, town or district police department, the office of environmental law enforcement, the University of Massachusetts police department, the department of the state police, the Massachusetts Port Authority police department, also known as the Port of Boston Authority police department, and the Massachusetts Bay Transportation Authority police department; (ii) a sheriff’s department in its performance of police duties and functions; (iii) a public or private college, university or other educational institution or hospital police department; or (iv) a humane society police department in section 57 of chapter 22C.

“Law enforcement officer” or “officer”, any officer of an agency, including the head of the agency; a special state police officer appointed pursuant to section 57, section 58 or section 63 of chapter 22C; a special sheriff appointed pursuant to section 4 of chapter 37 performing police duties and functions; a deputy sheriff appointed pursuant to section 3 of said chapter 37 performing police duties and functions; a constable executing an arrest for any reason; or any other special, reserve or intermittent police officer.

....

“Untruthful” or “untruthfulness”, knowingly making an untruthful statement concerning a material fact or knowingly omitting a material fact: (i) on an official criminal justice record, including, but not limited to, a police report; (ii) while testifying under oath; (iii)

to the commission or an employee of the commission; or (iv) during an internal affairs investigation, administrative investigation or disciplinary process.

M.G.L. c. 6E, § 2

....  
(e) Seven commissioners shall constitute a quorum and the affirmative vote of a majority of commissioners present and voting shall be required for an action of the commission. The commission shall meet monthly and at other times as it shall deem necessary or upon the written request of 4 commissioners or the chair; provided, however, that notice of all meetings shall be given to each commissioner and to other persons who request such notice. The commission shall adopt regulations establishing procedures, which may include electronic communications, by which a request to receive notice shall be made and the method by which timely notice may be given.

M.G.L. c. 6E, § 3

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(a) The commission shall have all powers necessary or convenient to carry out and effectuate its purposes, including, but not limited to, the power to:

...  
(4) deny an application or limit, condition, restrict, revoke or suspend a certification, or fine a person certified for any cause that the commission deems reasonable;

...  
(13) enter into agreements or other transactions with a person, including, but not limited to, a public entity or other governmental instrumentality or authority in connection with its powers and duties under this chapter;

...  
(17) prepare, publish and distribute, with or without charge as the commission may determine, such studies, reports, bulletins and other materials as the commission considers appropriate;

...  
(22) levy and collect assessments, fees and fines and impose penalties and sanctions for a violation of this chapter or any regulations promulgated by the commission;

(23) restrict, suspend or revoke certifications issued under this chapter;

....

M.G.L. c. 6E, § 4

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(a) (1) There shall be within the commission a division of police certification. The purpose of the division of police certification shall be to establish uniform policies and standards for the certification of all law enforcement officers, subject to the approval of

the commission. The head of the division shall be the certification director, who shall be appointed by the commission.

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<[ There is no paragraph (2) of subsection (a).] >

<[ There are no subsections (b) and (c).] >

---

(d) No person shall be eligible for admission to police schools, programs or academies approved by the municipal police training committee pursuant to section 118 of chapter 6, or the training programs prescribed by chapter 22C, or for appointment as a law enforcement officer or for employment with an agency if they are listed in the national decertification index or the database of decertified law enforcement officers maintained by the commission pursuant to clause (i) of subsection (a) of section 13.

<[ There is no subsection (e).] >

....

[f](2) The commission shall not issue a certificate to an applicant who: (i) does not meet the minimum standards enumerated in paragraph (1) or the regulations of the commission; (ii) has been convicted of a felony or whose name is listed in the national decertification index or the database of decertified law enforcement officers maintained by the commission pursuant to clause (i) of subsection (a) of section 13; or (iii) while previously employed in law enforcement in any state or United States territory or by the federal government, would have had their certification revoked by the commission if employed by an agency in the commonwealth.

(3) The commission may issue a certificate to a qualified applicant consistent with the provisions of this chapter. The commission shall determine the form and manner of issuance of a certification. A certification shall expire 3 years after the date of issuance.

(4) An officer shall remain in compliance with the requirements of this chapter and all rules and regulations promulgated by the commission for the duration of their employment as an officer.

(g) No agency shall appoint or employ a person as a law enforcement officer unless the person is certified by the commission.

....

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M.G.L. c. 6E, § 10

---

....

(g) The commission shall publish any revocation order and findings. The commission shall provide all revocation information to the national decertification index. No officer may apply for certification after that officer's certification has been revoked pursuant to this section.

---

M.G.L. c. 6E, § 13

....

(b) The commission shall cooperate with the national decertification index and other states and territories to ensure officers who are decertified by the commonwealth are not hired as law enforcement officers in other jurisdictions, including by providing information requested by those entities.

M.G.L. c. 30A, § 10

In conducting adjudicatory proceedings, as defined in this chapter, agencies shall afford all parties an opportunity for full and fair hearing. Unless otherwise provided by any law, agencies may (1) place on any party the responsibility of requesting a hearing if the agency notifies him in writing of his right to a hearing and of his responsibility to request the hearing; (2) make informal disposition of any adjudicatory proceeding by stipulation, agreed settlement, consent order or default; (3) limit the issues to be heard or vary the procedures prescribed by section eleven, if the parties agree to such limitation or variation; and (4) allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding, and allow any other interested person to participate by presentation of argument orally or in writing, or for any other limited purpose, as the agency may order.

When a party to an adjudicatory proceeding has the opportunity, by provision of any law or by regulation, to obtain more than one agency hearing on the same question, whether before the same agency or before different agencies, it shall be sufficient if the last hearing available to the party complies with the requirements of this chapter, and the earlier hearings need not so comply.

When a party has the opportunity to obtain an agency hearing, followed by one or more appeals before the same agency or before different agencies, such appeals being limited to the record made at the hearing, the appeal procedure need not comply with any requirement of this chapter for the conduct of adjudicatory proceedings except paragraphs (7) and (8) of section eleven.

When, under a provision of any law, a hearing is required only upon direction of an agency or upon request made in accordance with such provision by a person entitled to make such request, the requirements of this chapter governing the conduct of adjudicatory proceedings shall not apply unless and until such direction or request is in fact made.

M.G.L. c. 30A, § 13

“License”, as used in this section, includes any license, permit, certificate, registration, charter, authority or similar form of permission required by law. Except as otherwise provided in this section, no agency shall revoke or refuse to renew any license unless it has first afforded the licensee an opportunity for hearing in conformity with sections ten,

eleven and twelve. If a licensee has, in accordance with any law and with agency regulations, made timely and sufficient application for a renewal, his license shall not expire until his application has been finally determined by the agency. Any agency that has authority to suspend a license without first holding a hearing shall promptly upon exercising such authority afford the licensee an opportunity for hearing in conformity with sections ten, eleven and twelve.

This section shall not apply--

- (1) Where a provision of the General Laws expressly provides that an agency is not required to grant a hearing in regard to revocation, suspension or refusal to renew a license, as the case may be; or
- (2) Where the agency is required by any law to revoke, suspend or refuse to renew a license, as the case may be, without exercising any discretion in the matter, on the basis of a court conviction or judgment; or
- (3) Where the revocation, suspension or refusal to renew is based solely upon failure of the licensee to file timely reports, schedules, or applications, or to pay lawfully prescribed fees, or to maintain insurance coverage as required by any law or by regulation; or
- (4) Where there is a refusal to renew the license of a foreign insurance company . . . .

555 CMR 7.09: *Restriction or Revocation of Certification*

The granting of a recertification shall not preclude the limiting, conditioning, restricting, suspending, or revoking of the certification in accordance with law, when warranted, including but not limited to circumstances where an officer has made a material misrepresentation to the commission or the officer's employing agency in connection with the recertification process.

555 CMR 9.01: *Scope*

- (1) 555 CMR 9.00 governs:
  - (a) The initial certification of an endorsed applicant;
  - (b) The initial certification of an independent applicant; and
  - (c) The recertification of an independent applicant, in which case 555 CMR 9.00 supersedes 555 CMR 7.00: *Recertification*, except where 555 CMR 9.00 expressly incorporates 555 CMR 7.00.
- (2) The recertification of an endorsed applicant is not governed by 555 CMR 9.00 and remains subject to 555 CMR 7.00: *Recertification*.
- (3) Nothing in 555 CMR 9.00 is intended to:  
...
  - (c) Preclude the limiting, conditioning, restricting, suspending, or revoking of any

certification in accordance with law.

555 CMR 9.12: Certification Status

....

(3) The granting of a certification shall not preclude the conditioning, limiting, restricting, suspending, or revoking of the certification in accordance with law, when warranted.

(4) The Commission may reconsider, and revise or vacate, a decision on an application for certification, when such action is warranted.

....

(7) A certification granted pursuant to 555 CMR 9.00 shall be active only while the certified individual is serving as a law enforcement officer for a law enforcement agency, and shall otherwise be restricted.

(8) The following individuals may not execute any type of arrest, as that term is defined in 555 CMR 9.02(2), or otherwise perform police duties and functions:

- (a) An individual who is serving as a law enforcement officer as that term is defined in M.G.L. c. 6E, § 1 – whether as an officer of a law enforcement agency; a special state police officer; a special sheriff; a deputy sheriff; a constable; or a special, reserve, or intermittent police officer – but is not certified;
- (b) An individual whose certification is suspended;
- (c) An individual whose certification has been revoked;
- (d) An individual whose certification has been conditioned, limited, or restricted in a manner that precludes the relevant form of activity; and
- (e) An individual who otherwise lacks the legal authority to engage in the relevant form of activity.