



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

October 10, 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

EXECUTIVE DIRECTOR

Enrique A. Zuniga

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.

UPDATED

NOTICE OF MEETING AND AGENDA

Public Meeting #69

October 16, 2025

8:30 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 930 0565 8575

- 1) Call to Order
- 2) Approval of Minutes
 - a) September 25, 2025
 - b) October 2, 2025
- 3) Executive Director Report – Enrique A. Zuniga
 - a) Certification Update
 - b) Finance & Administration Update
- 4) Legal Update – Randall E. Ravitz, Gerald Cahill
 - a) Practical Guidance for Constables
- 5) Election of the Commission's Treasurer and the Secretary
- 6) Matters not anticipated by the Chair at the time of posting
- 7) Executive Session in accordance with the following:

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Boston, Massachusetts 02109

TEL: 617.701.8401

mass.gov/orgs/post-commission

MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- 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 matters relating to preliminary inquiries and initial staff review concerning whether to initiate such inquiries, 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 prior Executive Session minutes.

a) Reports of Preliminary Inquiry in the following cases:

- i) PI-2025-044
- ii) PI-2025-015
- iii) PI-2023-04-13-011
- iv) PI-2023-08-10-003

b) Division of Standards request to enter voluntary decertification, suspension or disposition agreement in the following cases:

- i) PI-2025-049

c) Division of Standards request for approval to conduct Preliminary Inquiries in the following cases:

- i) PI-2025-055
- ii) PI-2025-056

d) Approval of the minutes of the Executive Session for the following dates:

- i) September 25, 2025
- ii) October 2, 2025

e) Review of approved Executive Session minutes per M.G.L. c. 30A, § 22(g).

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
September 25, 2025
8:30 a.m.
Via Zoom

Documents Distributed in Advance of Meeting

- August 14, 2025, Public Meeting Minutes
- Executive Director Report
- Presentation and memo regarding year end results of FY25 and spending plan for FY26
- Memo on proposed revisions to draft law enforcement agency certification standards regarding officer response procedures
- Memo on proposed revisions to draft agency certification standards regarding criminal investigation procedures
- Memo on draft agency certification standards regarding detainee transportation

1. Call to Order

- The meeting began at 8:45 a.m.
- Commission Chair Margaret R. Hinkle took a roll call of the Commissioners present. The roll call proceeded as follows:
 - Chair Hinkle – Present
 - Commissioner Lester Baker – Present
 - Commissioner Hanya H. Bluestone – Present
 - Commissioner Lawrence Calderone – Present
 - Commissioner Deborah Hall – Present
 - Commissioner Marsha V. Kazarosian – Present
 - Commissioner Charlene D. Luma – Present
- Chair Hinkle noted that Commissioner Eddy Chrispin and Commissioner Clyde Talley were not in attendance, but a quorum was still present.

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; and M.G.L. c. 30A, § 21(a)(7), combined with M.G.L. c. 30A, § 22(f) and (g), in anticipation of discussion and approval of the minutes of the prior executive session.
- Chair Hinkle stated that:
 - The Commissioners will be considering reports of preliminary inquiries.
 - They will be considering the request to enter into voluntary decertification or suspension agreements with regard to three cases.
 - They will be considering a request from the Division of Police Standards to approve a preliminary inquiry in a case.

- They will be addressing the approval of the minutes of the previous executive session.
- They will also be discussing pending litigation against the Commission in the following matters:
 - Matthew Hubbard v. Peace Officer Standards and Training Commission, Case No. 2579CV00432, filed in Hampden County Superior Court;
 - James S. McCall v. Peace Officer Standards and Training Commission, filed in Suffolk County Superior Court; and
 - An Open Meeting Law Complaint against the Commission filed by William Castro under M.G.L. c. 30A, § 23, a provision of the Open Meeting Law, and 940 CMR 2905.
- Chair Hinkle took a roll call vote on the motion. The motion unanimously carried.
- She informed members of the public that the Commission would reconvene its public meeting at approximately 11:00 a.m. after the executive session.
- The Commissioners entered into executive session at 8:53 a.m.
- The public meeting resumed at 11:34 a.m. Chair Hinkle stated for the record that Commissioner Calderone was no longer present. She also noted that Commissioner Talley joined the public session, and a quorum was still present.

3. Approval of Minutes

- Chair Hinkle asked for a motion to approve the August 2025 minutes. Commissioner Bluestone moved to approve the minutes. Commissioner Talley seconded the motion.
- All Commissioners present for the August 2025 meeting voted to approve the minutes. Commissioner Baker abstained from the vote because he was not in present at that meeting.

4. Executive Director Report – Executive Director Enrique A. Zuniga

- Executive Director Zuniga began his report by providing updates on Commission activities since last meeting. He stated the following.
 - There were 14 critical incidents involving law enforcement and a member of the public, with 10 officers injured and 4 officer-involved shootings, one of which resulted in the death of an individual.
 - He remarked that these figures highlighted the hazards of the profession.
- Executive Director Zuniga then provided an update on the disciplinary records project, emphasizing efforts to improve the uniformity and detail of records submitted by agencies.
 - While agencies provide the initial information, POST has implemented workflows to minimize discrepancies, such as limiting character counts in certain fields and planning to add new fields for greater consistency.
 - He attributed the differences to multiple individuals using the portal to provide information.
 - The Commission has generally avoided significantly modifying the details submitted by agencies. Moving forward, the Commission will add details to records that require them, rather than eliminating details for the sake of uniformity.
 - The review process includes multiple levels of review through intake, standards, legal, and enforcement teams to ensure the information is accurate and necessary redactions are made prior to publishing the information to the website.

- Complaint summaries will be added to disciplinary records moving forward. They will provide brief descriptions of incidents based on agency submissions. These summaries will be added on a rolling basis for new complaints, not historical ones.
- Turning to recent and upcoming outreach, Executive Director Zuniga reported on speaking engagements in which someone presented or spoke on behalf of the Commission. He stated the following.
 - On September 10, 2025, Chair Hinkle returned to her alma mater, Boston College, to participate in a panel discussion on the state and local response to the current federal government's policing agenda. The Commission's work was featured as important in local response
 - The week of September 15, the Director of the Division of Police Standards, Matt Landry, attended the annual Municipal Police Chiefs' Association Conference.
 - He presented updates to the internal affairs process that agency heads must follow.
 - On October 2, 2025, Executive Director Zuniga will be a panelist in a webinar series held by the Massachusetts Municipal Association.
 - In July 2025, Executive Director Zuniga also met with the Massachusetts Major City Chiefs. The following month he met with the Sheriffs' Association.
 - The Commission regularly meets with the MPTC. The most recent meeting focused on in-service training and physical fitness standards.
- Executive Director Zuniga concluded his report by inviting questions from the Commissioners.
- Not seeing any questions from Commissioners, Chair Hinkle turned the meeting over to Eric Rebello-Pradas for a finance and administrative update.

5. Finance & Administrative Update – Eric Rebello-Pradas, Chief Financial Administrative Officer

- CFAO Rebello-Pradas provided a FY25 financial report. He reported as follows.
 - FY25 ended on June 30, 2025. In July, it was estimated that final spending would range anywhere between \$8 million and \$8.1 million. The actual final spending came in slightly under the estimate at \$7.98 million.
 - This amount represented about 91% of funding that was budgeted to the Commission for FY25.
 - The remaining \$765,000 will be reverted back to the general fund. Most of the savings were from payroll.
- CFAO Rebello-Pradas then provided a recap of the FY26 spending request. He reported as follows.
 - The Commission requested \$9.5 million for the FY26 budget.
 - When the governor filed her budget, the appropriation for the Commission was 6% less than the requested amount, or about \$571,000 less.
 - When the Conference Committee released the final budget, the Commission received an unexpected additional 1% reduction to its budget.
 - The Finance and Administration team met with Commissioner Luma and Executive Director Zuniga to review FY26 spending plans submitted to Administration and Finance. They expected to receive feedback on the spending plan in the first week of October.

- The FY26 spending plan was adjusted to include an additional \$26,000 for contracted employees. The Commission hired an IT contractor to fill in for the business analyst who left the position a few months ago. The budget also includes hiring at least three interns for FY26.
- About \$40,000 was saved by no longer providing parking for Commission staff. That money was allocated elsewhere in the budget. There were additional savings in consultants and legal services as the Commission continues to reduce its reliance on outside or third-party consultants.
- Information Technology received additional funding to pay off the balance for data management software and Salesforce and Tableau licenses.
- On August 14, the governor filed the final deficiency supplemental budget to close out FY25. The Commission requested permission to use the \$74,000 in unspent money from FY25 to supplement the budget for FY26.
- The legislature has not yet taken up this request, so it is uncertain whether the Commission will have access to those funds.
- If the Commission receives the unused money, it will be used to offset costs of paying to install the security door or hire additional interns.
- Payroll remained the largest expense for FY26, with \$6.6 million budgeted to hire six additional positions. The Commission hopes to have 60 employees by the end of FY26 on June 30, 2026.
- The Commission delayed onboarding of seven open positions, which saved about \$350,000.
- Information Technology is the second largest expense, with 50% of the costs going toward maintenance of Salesforce. The third largest category is rent for the Commission's office space at 84 State Street.
- The proposed FY26 organizational chart showed 49 filled positions, current open positions, and proposed positions.
- CFAO Rebello-Pradas concluded his report by inviting questions from the Commissioners.
- Not seeing any questions from Commissioners, Chair Hinkle thanked CFAO Rebello-Pradas and Commissioner Luma for their work on these matters. She moved on to a legal update from General Counsel Ravitz.

6. Legal Update – General Counsel Randall E. Ravitz, Counsel Annie E. Lee, and Legal Fellow George O. Boateng

- General Counsel Ravitz turned the floor over to Counsel Lee.
- Counsel Lee began her presentation by providing an overview of the three draft agency certification standards for consideration by the Commission. She stated the following.
 - The first standard was related to officer response procedures. She presented a second round of revisions, and requested a preliminary vote to approve the standard, pending any final questions or feedback.
 - The proposed revisions addressed feedback from the MPTC, to clarify language (like changing “tactics and techniques” to “approaches”), qualifying when trauma-informed and culturally relevant approaches should be used (when time and circumstances reasonably permit), and encouraging, rather than mandating, officers to connect vulnerable persons to support services.

- The phrase “tactics and techniques” was revised to “approaches” in the definition section. This change was made in response to feedback from the MPTC that “tactics and techniques” has a specific meaning in law enforcement, and “approaches” better reflects the broader, critical thinking framework intended by the standard.
- The language related to interactions with vulnerable persons was revised to direct officers to use developmentally and age-appropriate, trauma-informed, racially equitable, and culturally relevant approaches when time and circumstances reasonably permit.
 - The phrase “when time and circumstances reasonably permit” provides officers flexibility to respond to situations where immediate action is required and such approaches may not be feasible.
- The final revision changed the directive in the standard to encourage, rather than require, officers to make efforts to connect vulnerable persons to appropriate support services. This change gives officers flexibility when responding to situations where emergencies or limited resources may prevent them from doing so.
- Counsel Lee invited questions from Commissioners before asking for preliminary approval of the draft standards she presented.
- Not seeing any questions from Commissioners, Chair Hinkle called for a vote. The vote was unanimously carried.
- Counsel Lee then presented the second standard on criminal investigation procedures. She stated as follows.
 - The Criminal Investigation Procedures standard was last before the Commission in April for initial feedback. Since then, feedback was sought from the MPTC and its staff, which informed the current first round of revisions.
 - The initial draft defined “responsible adult,” as an individual 18 years or older with authority to make decisions on behalf of the youth. This definition was very broad and was changed to apply specifically to criminal investigation procedures.
 - Counsel Lee proposed revising the definition to “interested adult,” with a narrower definition.
 - The proposed change aligns with a Supreme Judicial Court case where the court used the term “interested adult. This is known as the Interested Adult Rule in the context of juvenile interrogations.
 - The change also clarifies the role of an “interested adult” as someone with whom a youth can consult with to understand their rights during non-custodial interviews or custodial interrogations.
 - Rather than listing specific family members, the definition now includes three categories: immediate family, family members residing in the officer’s household, and relatives within the third degree of relationship.
 - This approach mirrors the Code of Judicial Conduct, which is designed to avoid conflicts of interest for judges and is now applied to officers in criminal investigations.
 - This was intended to cast a broader net to prevent conflicts of interest and ensure transparency.

- The original draft standard prohibited certain actions (like requiring reports under oath or running background checks) to prevent retaliation or intimidation of those reporting crimes.
- The MPTC expressed concern that this could hinder basic due diligence. The revision clarifies that these actions are only prohibited if they are intended to discourage, intimidate, or retaliate against someone for reporting criminal activity, thus balancing the need for thorough investigations with protection for the public.
- The draft standards now require officers to obtain a youth's clear and unambiguous understanding of their rights before interviews or interrogations. The language was adjusted to recognize that this may not always be possible due to factors like age or mental ability.
- The prohibition on deception was also softened to prohibit it only when it is "excessive or unreasonable," rather than an outright ban.
- The standard also prohibits threats, intimidation, and coercion when intended to unlawfully influence a youth.
- Additional provisions were added to require reasonable breaks during interrogations and to clarify that threats can include suggesting unrealistic benefits or negative consequences.
- The standard now requires agencies to set their own policies on what information about criminal investigations will be communicated, when, and to whom (e.g., the public, media, or individuals reporting crimes). This provides agencies flexibility to tailor their communication policies to the specifics of each case.
- Counsel Lee opened up to Commissioners for questions on the draft standards guiding criminal investigation procedures.
- Commissioner Baker asked whether the MPTC approved the final revisions because it seemed like the draft standards went beyond the standard set by the SJC.
- Counsel Lee clarified that these were the first round of revisions with MPTC staff and had not yet gone before the full MPTC. She hoped to present the standards to the MPTC during their next public meeting, and pending any feedback, would come before the Commission either for more updates or a preliminary vote.
- Commissioner Baker then asked for clarification about the definition of "family" regarding conflict of interest, specifically whether the definition was for officers or to define a family member of a juvenile.
- Counsel Lee clarified that the definition was for officers. The conflict of interest provision would prevent an officer from participating in criminal investigations involving a member of that officer's family.
- Commissioner Baker asked whether the policy would allow the Commission to administratively decide how a department releases information regarding ongoing investigations, and whether there would be a blanket policy requiring the release of information, regardless of the investigation's status.
- Counsel Lee clarified that the policy is intended to direct agencies to set their own policies about what information to communicate and when, rather than imposing a blanket rule.
- Commissioner Baker thanked Counsel Lee for the clarifications and said departments already use discretion regarding the release of information during ongoing investigations. He clarified his concern about a blanket policy because every scenario is different.

- As there were no further comments or questions from Commissioners, Chair Hinkle turned the floor over to Legal Fellow George Boateng.
- Attorney Boateng presented a draft detainee transportation standard. He stated the following.
 - The standard was drafted in consultation with various resources and leaders in law enforcement like the IACP and the Baltimore Police Department's *Persons in Police Custody*, which was written with the Department of Justice following the death of Freddie Gray.
 - The presentation provided a high-level overview of the key principles behind the draft standards.
 - The standards were written to comply with M.G.L. c. 6E, regarding improving interactions between law enforcement and the public and ensuring bias-free policing designed to ensure humane, safe, and respectful treatment of detainees during transportation, consistent with Massachusetts law and best practices in policing.
 - Regarding officer conduct, officers are encouraged to consider detainees' physical safety, mental and emotional vulnerabilities, and potential embarrassment. Officers should explain to a detainee what the officer is doing, where the detainee is being transported, and the next steps to create a dynamic of respect and safety.
 - The next point related to transport vehicles. Research has shown that proactive vehicle maintenance can ensure public safety and professionalism while instilling public confidence.
 - Agencies should specify the types of cars that may be used for transport, necessary modifications, and require routine inspection and maintenance.
 - Officers must search the transport vehicle to protect both the officer and detainee from potential harm by items left in the vehicle.
 - There should also be procedures to ensure a vehicle is free from weapons, contraband, or evidentiary items before and after the detainee is placed in the vehicle.
 - A detainee must be searched before being placed in the vehicle, regardless of any previous searches. Officers conducting a search should use the least intrusive possible while using the most effective method necessary to ensure safety without demeaning the detainee.
 - The next provision on restraints was drafted with attention to IACP policies and Baltimore's Person in Police Custody following the death of Freddie Gray.
 - The policy emphasizes the personhood of the detainee and requires detainees to be restrained in the least intrusive and most effective manner to avoid unnecessary pain or risk of injury.
 - Detainees should never be secured without appropriate restraint devices, and restraints should never be affixed to any part of the vehicle.
 - The provision on supervision and surveillance of detainees was intended to promote transparency and accountability for both officers and detainees.
 - Agencies should create policies requiring detainees to be under constant supervision while they are in custody, either through direct observation or audio/video monitoring.

- If an agency's transport vehicle has a camera system to monitor detainees, officers must activate the systems for the duration of transport. If such a system is not available, then officers must activate their body-worn cameras or in-car audio or video recording system.
- The Commonwealth has passed laws in consideration of a detainee's gender identity. Agencies should develop written policies that include provisions requiring a detainee be transported with at least one officer of the same gender and not in the same vehicle with a detainee of a different gender identity, unless the circumstances require otherwise.
 - The policy should direct officers to transport a detainee without unnecessary delays, and account for situations when an officer may need to conduct other law enforcement duties while transporting a detainee.
 - The policy should also provide special directives for transporting youth detainees.
- Agencies should include a sub-policy or provision that directs officers to operate transport vehicles safely, obey traffic laws (except in emergencies), and avoid actions intended to cause discomfort, including unnecessary speeding, making sharp U-turns, and hard braking.
- Officers should provide timely medical attention to detainees if it is requested or needed.
- The policy should also direct officers to communicate relevant medical or safety information to the receiving agency during detainee transfer.
- Agencies must ensure officers are trained in accordance with all applicable requirements.
- Attorney Boateng concluded his presentation and invited questions from Commissioners.
- Not seeing any questions from Commissioners, Chair Hinkle thanked Attorney Boateng for his presentation.

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

- There were no matters not anticipated by the Chair at the time of posting of the meeting notice. She asked Commissioners for a motion to adjourn the public meeting.
 - Commissioner Kazarosian moved to adjourn the public meeting. Commissioner Baker seconded the motion.
- Chair Hinkle believed the Commission did not have to take a vote to adjourn. She thanked the staff members who presented at the Commission meeting and thanked the public for their interest in the Commission's work.
- The public meeting was adjourned at 12:37 p.m.

Summary of Matters Voted on by the Commission

- Approval of the minutes of the August 14, 2025, meeting.
 - The Commission voted to approve the minutes included in the meeting packet.
- Preliminary approval of the standard on officer response procedures.
 - The Commission voted to approve the standard included in the meeting packet.

2b.

MASSACHUSETTS PEACE OFFICER STANDARDS AND TRAINING COMMISSION

Public Meeting Minutes

October 2, 2025

9:00 a.m.

Via Zoom

1. Call to Order

- The meeting began at 9:07 a.m.
- Chair Hinkle took a roll call of the Commissioners present. The roll call proceeded as follows:
 - Commissioner Baker – Present
 - Commissioner Bluestone – Present
 - Commissioner Calderone – Present
 - Commissioner Hall – Present
 - Commissioner Kazarosian – Present
 - Commissioner Luma – Present
- Chair Hinkle noted that Commissioner Chrispin and Commissioner Talley were absent from the meeting and recognized that a quorum was present.

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.
- The Chair stated that:
 - The Commissioners will be considering the request to impose a suspension in four cases.*
- Chair Hinkle asked for a motion to enter executive session. Commissioner Kazarosian moved to enter executive session, and Commissioner Luma seconded the motion.
- Chair Hinkle took a roll call vote on the motion. The motion unanimously carried.
- She then informed members of the public that there were no matters not anticipated at the time of posting, and the Commission would not reconvene its public meeting after the executive session.
- The public meeting was adjourned at 9:09 a.m.

*Commissioners considered the request to impose a suspension in six cases identified by PI-number in the notice of meeting on the Commission's website.

3a.



Executive Director Report

October 16, 2025

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Agenda

1. Certification Update
 1. In-Service Training TY25
 2. Officer Status Change Form
2. Speaking Engagements & Outreach
3. Finance & Budget Update

Certification Update



In-Service Training – Training Year 2025

- Training Year 2025 ended June 30. Agencies are required to report compliance with in-service training by September 30
- As of October 15, there were 144 officers from 56 agencies out of compliance as follows:

Agencies with Individuals Missing TY25	# of Individuals
Boston PD	52
15 Agencies (between 2 and 8 individuals)	52 (3.4 average)
40 Agencies	40 (1 each)
Total (56 Agencies)	144

Certification Update



In-Service Training – Training Year 2025

- Certification team has sent out notices of non-compliance with deadline of October 30
- Individuals out of compliance after that date will be administratively suspended
- Discussing with MPTC a few individuals who have completed TY25 but may be missing parts of TY24 or TY23

Certification Update



Officer Status Update Form

- Employment Status Changes must be reported to POST :
 - ✓ Officer Leaving Agency
 - ✓ Agency Hiring an Officer
 - ✓ Employment Status Change (Administrative Leave, Excused Leave, Name Change, etc.)
- Use with officers who are already certified, including restricted officers, and are looking to transfer or return to law enforcement
- For officers being hired out of an academy, as an out-of-state transfer, or expired officers continue to fill out the agency intake form and new candidate packet

Certification Update



Officer Status Update Form

- We have made important updates to our Officer Status Change Form
- Form is simpler to fill out (drop-down options and follow up questions based on selections)
- Status Update Form will streamline new “restricted” process

Outreach



Recent Speaking Engagements / Presentations

- September 15 - Boston University Employer Fair
- October 10 – MACLEA E-Board Meeting
- October 14 – Mass Major City Chiefs

Finance & Administrative Update



FY26 Activity

19% of Budget Spent



Treasurer's Report: FY26 Q1	FY26 FIN SP	SEPTEMBER			ANNUAL
	BUDGET	YTD EXPENDED	YTD INCURRED	YTD COMMITTED	PROJECTED EXPEND TOTAL
EMPLOYEE COMPENSATION (AA) TOTAL	6,640,159	1,386,341	15,000	1,401,341	6,771,734
EMPLOYEE TRAVEL (BB) TOTAL	35,200	4,685	-	4,685	14,585
CONTRACT EMPLOYEES (CC) TOTAL	96,570	71,238	-	71,238	94,138
PAYROLL TAX/FRINGE (DD) TOTAL	149,556	32,210	-	32,210	151,733
OFFICE SUPPLIES/POSTAGE/SUBSCRIPTIONS (EE) TOTAL	173,097	12,229	36,131	48,360	150,173
FACILITY OPERATIONS (FF) TOTAL	36,000	1,377	16,623	18,000	18,000
OFFICE SPACE LEASE (GG) TOTAL	635,366	154,654	424,326	578,980	630,366
CONSULTANTS/LEGAL SERVICES (HH) TOTAL	85,000	8,180	16,075	24,255	64,255
SUPPORT/AUXILIARY SERVICES (JJ) TOTAL	41,000	3,895	28,566	32,461	40,461
OFFICE FURNITURE/FIXTURES/EQUIPMENT (KK) TOTAL	3,000	-	-	-	0
OFFICE EQUIPMENT LEASE (LL) TOTAL	2,446	404	1,805	2,209	2,209
OFFICE MAINTENANCE/REPAIRS (NN) TOTAL	26,131	-	-	-	23,500
INFORMATION TECHNOLOGY (UU) TOTAL	909,677	22,496	265,174	287,671	980,945
Grand Total :	8,833,202	1,697,710	803,701	2,501,411	8,942,099

FY26 Activity

Human Resource Update



- Welcome New Members:
 - Lauren Kruglak, Business Analyst
- Posted Positions:
 - Records Access Officer, Legal Division
- Headcount: **50**

FY27 Budget Development



Governor's Budget to be Filed January 28th

- Developing “Maintenance” Budget
 - Usually due to ANF by last week of October
 - Expecting worse fiscal environment
- POST submitting “Evolving” Budget
 - May need to be strictly “maintenance” for FY27
 - Slower growth
- Detail provided next Commission meeting
 - Treasurer & Executive Director Briefing



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3b.



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

TO: Commissioners
FROM: Finance & Administration
CC: Enrique Zuniga
DATE: October 16, 2025
RE: FY26 Q1 Update

FY26 Q1

September 30th closed the first quarter of the new fiscal year. As expected, payroll is forecasting slightly over budget (by approximately 2%). Surprisingly, the information technology category is also slightly over projections (see attached *Treasurer's Report: FY26 Q1*).

- Approximately 28% of the Commission's budget is committed through September.
- While we are generating payroll savings by purposefully delaying the onboarding of multiple positions, the Commission is still over budget in this category. In last month's Spending Plan memo, we discussed the need to impose this managing tool in order to meet payroll for the entire year, while remaining committed to the needs of POST. Despite the situation being a first for POST since its inception, we are confident we can manage through it. The second quarter should provide us with a clearer outlook as we continue to update our forecasts.
- Projections in the IT category are over budget by about 8%. This is due to increases in service rates from the Executive Office of Technology Services & Security (TSS) for FY26. The costs for Office 365 licenses, helpdesk services, etc. has increased substantially. POST was not made aware of these rate changes until recently. Nevertheless, the situation has resulted in an approximate \$50K exposure. We believe the variance is small enough to weather for now, but we will keep an eye on it.

Hiring Status

At the end of September POST totaled 50 employees, which includes the recent onboarding of a Business Analyst. This IT position had been vacant since mid-April. Accepted offers are currently in hand for two Compliance Agents. The only position actively posted at this time is for the Legal Division's Records Access Officer. We do not anticipate posting any further positions until we gain a better understanding of our payroll needs, as well as the outlook for FY27.

FY27 Budget Development

POST is already preparing its FY27 budget submission to ANF. While the Commission remains in growth mode, that growth has been slowing due to state budget constraints. As we have already mentioned, the current fiscal year will be tight, but we are anticipating a worse fiscal environment in FY27. F&A is only in the beginning stages of development, and will be meeting with the Treasurer and Executive Director in the coming weeks to discuss outlook and options. Submissions to ANF are usually due towards the end of October.

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Treasurer's Report: FY26 Q1	FY26 FIN SP	SEPTEMBER			ANNUAL
	BUDGET	YTD EXPENDED	YTD INCURRED	YTD COMMITTED	PROJECTED EXPEND TOTAL
EMPLOYEE COMPENSATION (AA) TOTAL	6,640,159	1,386,341	15,000	1,401,341	6,771,734
EMPLOYEE TRAVEL (BB) TOTAL	35,200	4,685	-	4,685	14,585
CONTRACT EMPLOYEES (CC) TOTAL	96,570	71,238	-	71,238	94,138
PAYROLL TAX/FRINGE (DD) TOTAL	149,556	32,210	-	32,210	151,733
OFFICE SUPPLIES/POSTAGE/SUBSCRIPTIONS (EE) TOTAL	173,097	12,229	36,131	48,360	150,173
FACILITY OPERATIONS (FF) TOTAL	36,000	1,377	16,623	18,000	18,000
OFFICE SPACE LEASE (GG) TOTAL	635,366	154,654	424,326	578,980	630,366
CONSULTANTS/LEGAL SERVICES (HH) TOTAL	85,000	8,180	16,075	24,255	64,255
SUPPORT/AUXILIARY SERVICES (JJ) TOTAL	41,000	3,895	28,566	32,461	40,461
OFFICE FURNITURE/FIXTURES/EQUIPMENT (KK) TOTAL	3,000	-	-	-	0
OFFICE EQUIPMENT LEASE (LL) TOTAL	2,446	404	1,805	2,209	2,209
OFFICE MAINTENANCE/REPAIRS (NN) TOTAL	26,131	-	-	-	23,500
INFORMATION TECHNOLOGY (UU) TOTAL	909,677	22,496	265,174	287,671	980,945
Grand Total :	8,833,202	1,697,710	803,701	2,501,411	8,942,099

4a.



Practical Guidance for Constables

October 16, 2025



“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.



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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.



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;
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PRACTICAL GUIDANCE FOR MASSACHUSETTS CONSTABLES

Massachusetts Peace Officer Standards and Training Commission

2025



I. USE OF FORCE OR COMMANDS

Example 1: Mere Service

A constable serves papers on a person. Those papers include orders from a court that the person has to pay money, vacate certain premises, or appear in court. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of papers is not an arrest and is not a police duty or function.



DOs and DON'Ts for CONSTABLES



Dated: October 2025

In recent years, statutes and regulations have impacted constables and the work they are permitted to do in Massachusetts.

The present document has been created to provide practical guidance about which actions are permitted and not permitted under Chapter 6E of the Massachusetts General Laws and Title 555 of the Code of Massachusetts Regulations.

For a violation of an applicable statute or regulation, the POST Commission reserves the right to impose any fine or sanction permitted by law. See e.g., M.G.L. c. 6E, § 3.

In this document, we will assume that the constables in question are acting in their capacity as constables and are not certified by the POST Commission.

Questions?

You can find additional information about the laws referenced above at the following website:
<https://mapostcommission.gov/about-post/regulations-advisories-and-guidance/>

If you have general questions about those laws, you can contact the POST Commission at 617-701-8401.

If you seek legal advice about a specific case, you can find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

DOs

Serve Papers. A constable may serve papers on an individual, even when those papers include capias warrants or orders from a court.

Remove Property. A constable may remove items from a residence as part of a lawful eviction.

Call the Police. A constable is permitted—in fact, encouraged—to call the police if an individual is acting in a way that the constable believes might escalate into physical violence. A constable may also call the police if there is a need to detain someone or to remove someone physically from an area or residence.

Act in Self-Defense. Constables may protect themselves, like any other person, according to the laws of self-defense. Generally speaking, to be protected by the laws of self-defense, a constable, like any other person, cannot use more force than is reasonably necessary and cannot use force if there is a safe way to avoid using such force. The use of force should be a last resort, to be used only when a constable believes such force is necessary to protect the constable or another from the immediate danger of physical harm.

DON'Ts

Generally speaking, a constable may not engage in the conduct listed below. An exception exists in situations where a constable takes such actions in self-defense. (See above.)

Use Force. A constable is not permitted to use physical force to restrain an individual. Such impermissible force includes any form of deadly force or even pushing, striking, or holding an individual against that person's will.

Physically Detain. A constable is not permitted to physically detain an individual. Such impermissible detention includes, for example, placing an individual in handcuffs or holding an individual in place to prevent that individual from leaving.

Threaten to Detain or Use Force. A constable is not permitted to threaten to detain an individual or threaten to use force against an individual in an effort to make an individual comply with the constable's commands. Such impermissible threats include not only direct threats but indirect and implied threats and especially include threats of deadly force facilitated by the display of a firearm.



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M.G.L. c. 6E, § 3.

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DOs and DON'Ts for CONSTABLES



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DOs and DON'Ts for CONSTABLES



Dated: October 2025

In recent years, statutes and regulations have impacted constables and the work they are permitted to do in Massachusetts.

The present document has been created to provide practical guidance about which actions are permitted and not permitted under Chapter 6E of the Massachusetts General Laws and Title 555 of the Code of Massachusetts Regulations.

For a violation of an applicable statute or regulation, the POST Commission reserves the right to impose any fine or sanction permitted by law. See e.g., M.G.L. c. 6E, § 3.

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DOs and DON'Ts for CONSTABLES



Dated: October 2025

In recent years, statutes and regulations have impacted constables and the work they are permitted to do in Massachusetts.

The present document has been created to provide practical guidance about which actions are permitted and not permitted under Chapter 6E of the Massachusetts General Laws and Title 55A of the Code of Massachusetts.

DOs

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THANK YOU!



Members of law enforcement and the public are encouraged to submit comments and suggestions to POSTC-comments@mass.gov



PRACTICAL GUIDANCE FOR MASSACHUSETTS CONSTABLES

Massachusetts Peace Officer Standards and Training Commission

2025

In recent years, Massachusetts has enacted a series of statutes and regulations¹ that have impacted constables. Those statutes and regulations provide that a law enforcement officer must be certified by the Massachusetts Peace Officer Standards and Training Commission in order to arrest someone or perform police duties and functions.² Constables who execute arrests for any reason fall within the scope of this requirement.³

But what does that mean as a practical matter?

It means that many—in fact, most—parts of a constable’s job remain unchanged by the recent statutes and regulations, because most parts of a constable’s job do not involve arresting people or performing the duties and functions of a police officer, and because the statutes and regulations do not give constables, even certified constables, powers they did not previously have.

It also means, however, that constables are no longer permitted to take certain actions without being certified by the Commission.

Some actions might not involve physical contact but may still be impermissible because they involve a show of authority that is coercive—that is, they make another person feel compelled to act or not act in a certain way. Actions can become more coercive where, for example, they are facilitated by the use or display of a weapon, or the display of a badge or uniform resembling that of a police officer. The use or display of a weapon can create still further risks. It can escalate tensions, cause others to react to perceived threats to their safety, and increase the chances of physical harm, and even tragic results, for the constable or others. These possibilities are even more likely when a constable has not received the extensive training that is completed by certified law enforcement officers.

The present document is meant to provide practical guidance for constables wanting to know which actions are permitted and which are not permitted under the recent statutes and regulations.

This document aims to explain through examples.

To be clear, this document is not a comprehensive explanation of the statutes and regulations governing constables. It is also not meant to cover every situation a constable may face, nor is it intended to provide legal advice.

Instead, this document is meant to function like a lighthouse—providing enough light to help navigate around certain dangerous areas but not enough to illuminate the entire landscape.

In the examples below, we will assume that the constables in question have been duly appointed or elected to serve as a constable within their jurisdiction, but do not possess a law enforcement certification issued by the Commission.

If you seek guidance on a specific matter, we recommend that you seek the advice of a lawyer.

I. USE OF FORCE OR COMMANDS

Example 1: Mere Service

A constable serves papers on a person. Those papers include orders from a court that the person has to pay money, vacate certain premises, or appear in court. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of papers is not an arrest and is not a police duty or function.

Example 2: Service of Capias Warrant

A constable serves a capias arrest warrant on a person. The warrant commands that the person be brought to court. The constable does not place the person under arrest. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of a capias warrant is not an arrest and is not a police duty or function. The court, not the constable, is requiring the person to appear.

Example 3: Service and Placing Person in Handcuffs

A constable serves a capias warrant on a person. The warrant commands that the person be brought to court. To make sure that the person complies with the warrant, the constable places the person in handcuffs and drives that person to the courthouse.

The constable's actions are not permitted.

A constable is not permitted to “seize” or “detain” a person—which is what the constable did here by handcuffing the person.

Example 4: Service of Capias Warrant and Volunteering a Ride

A constable serves a capias warrant on a person. The warrant commands that the person be brought to court. The constable informs the person that the person does not have to come with the constable, but the constable offers to drive the person to court if the person wants to come with the constable. The constable uses no force and threatens no force. The person agrees to be driven by the constable to court. The constable does not place the person in handcuffs, and the person is not locked in the constable's car during the drive to court. At the court, the constable's car is met by court officers, who arrest the person consistent with the capias arrest warrant. The constable does not assist with the arrest.

The constable's actions are permitted.

A constable is permitted to transport a person if that person voluntarily agrees to be transported and knows that the person does not have to go with the constable. Here, the constable merely served papers and offered a ride, which was accepted. The constable did not arrest the person or perform police duties or functions.

Example 5: Service and Grabbing Person

A constable attempts to serve papers on a person. The person tries to leave. Trying to stop that person, the constable grabs hold of the person's arm. That person understands that the constable is trying to prevent the person from leaving. The person

stops. The constable serves the person with the papers and then leaves.

The constable's actions are not permitted.

A constable does not have to use handcuffs or other such restraints to “seize” or “detain” a person.

The constable here intended to detain the person; the constable performed an action which did detain the person; and the person, who had been trying to leave, stopped because that person understood that the constable was trying to detain the person.⁴

The constable's use of physical force here was not permitted, even though the constable may not have used a great deal of force or detained the person for a long period of time.

Example 6: Volunteering a Ride and Grabbing a Person

A constable serves a capias warrant on a person. The person agrees to accept a ride to court with the constable. When they arrive at court, the person decides not to enter the court. Instead, the person gets out of the constable's car and starts to walk away from the court. The constable grabs the person's arm and keeps the person from walking away. Court officers approach and arrest the person consistent with the capias arrest warrant.

The constable's actions are not permitted.

A person who consents to being driven by a constable may change their mind. Here, the fact that the person originally agreed to go to court with the constable did not give the constable authority to detain or seize the person when it was clear that the person no longer wanted to go. Grabbing the person's arm constituted an impermissible seizure.

Example 7: Eviction and Physical Removal of Person

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence refuses to leave. The person is not physically threatening the constable. The constable grabs the person by the shirt and pushes the person out of the residence.

The constable's actions are not permitted.

The constable's actions here—using physical force and grabbing the person's shirt—amounted to a seizure of the person and were therefore not permissible.

Example 8: Service and Threat to Use Force

A constable attempts to serve papers on a person. That person starts to walk away. The constable commands the person to stop and shouts that, if the person continues to walk away, the constable will be forced to stop that person, draw a weapon, or handcuff the person. The person obeys the constable's command and stops. The constable serves the papers and leaves without use of physical force.

The constable's actions are not permitted.

An arrest or seizure does not have to involve physical restraint or the actual use of physical force. The threat of such restraint or force can be enough to create an arrest or seizure.

Said differently, a show of authority, through words or actions, can be enough to create an arrest or seizure, especially when the constable is coercing a person to do an action against that person's will. Such is the case in the example here.

Example 9: Eviction and Implied Threat to Use Force

A constable, as part of an eviction, serves papers on a person to alert that person that the person must vacate a residence. The person is not physically threatening but refuses to vacate the property. The constable suggests to the person that the constable is prepared to draw a gun to clear the residence if necessary. The person, frightened, vacates the residence.

The constable's actions are not permitted.

At times, a constable's actions are impermissible even when that constable uses no physical force. Words as well as actions can constitute a show of authority and thus cross the line of permissibility. Such an implied threat crossed the line here.

Example 10: 48-Hour Notice (No Force Used)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable calls the police, who physically remove the person from the residence. The constable does not assist in the removal of the person. The constable then removes the person's possessions from the residence.

The constable's actions are permitted.

The constable did not arrest, seize, or detain the person.

As part of a lawful eviction process, the constable was permitted to notify the person that the constable would remove the person from the residence, which the constable did by contacting the police who effectuated the removal.

The constable was also permitted to notify the person that the constable would remove the person's possessions, which the constable did by taking those possessions out of the residence.

Example 11: 48-Hour Notice (Force Used)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable grabs the person by the shirt and pushes that person out of the residence. The constable then removes the person's possessions from the residence.

The constable's actions are not permitted.

The constable's actions in using physical force and grabbing the person's shirt amounted to a seizure of the person and were therefore not permissible.

Example 12: 48-Hour Notice (Use of Police Authority)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable shows the person an official-looking badge and tells the person that the constable is prepared to place the person under arrest if necessary. The person, frightened, vacates the residence.

The constable's actions are not permitted.

Mere service of a 48-Hour Notice is not a police duty or function, but where service of such a notice is combined with other factors – such as a threat to arrest, display of a gun, or display of a badge resembling those worn by a police officer – a constable's actions may become a show of authority that amounts to performing police duties and functions. Such was the situation here.

Example 13: 48-Hour Notice (Informing Person About Police)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable tells the person that, if the person does not vacate the residence, the constable will call the police to remove the person from the residence. The person, upon hearing about the police, vacates the residence without the constable calling the police. The constable then removes the person's possessions from the residence.

The constable's actions are permitted.

It would have been lawful in this situation for the constable to call the police in order to remove the person from the residence. The constable was permitted to inform the person about the lawful steps that the constable planned to take to vacate the residence.

The constable did not arrest, seize, or detain the person.

II. SELF-DEFENSE

Example 14: Constable Unable to Escape

A constable serves papers on a person. That person attacks the constable. The constable, unable to escape, grabs the person and holds that person down in self-defense so that the person cannot harm the constable. The police are called and, upon arrival, place the person under arrest.

The constable's actions are permitted.

Constables do not abandon their right to self-defense when they become constables. They can protect themselves, like any other person, according to the laws of self-defense.

Still, a constable must be careful. The laws of self-defense are limited. They do not protect every use of force. Generally speaking, to be protected by the doctrine of self-defense, an individual, among other things, cannot use more force than is reasonably necessary, cannot use force if there is a safe way to avoid using such force, and, in most cases, cannot have initiated the aggression.⁵ There are many exceptions to the doctrine of self-defense; it is best to be cautious and only use force when necessary.

Example 15: Constable Able to Escape

A constable serves papers on a person. That person starts to threaten the constable with physical violence. The constable is able to leave safely by walking away from the person. Instead, the constable chooses to grab hold of the person, keep that person from leaving, and, while that person is detained, call the police.

The constable's actions are not permitted.

A constable typically is not permitted to seize a person. An exception to that general rule is when self-defense applies.

Here, self-defense did not apply because the constable was able to escape safely but did not.⁶ Because the doctrine of self-defense does not apply, the constable's seizure of the person was not permissible.

Example 16: Constable Calls Police

A constable serves papers on a person. That person starts to threaten the constable with physical violence. The constable calls the police. The police arrive and place the person under arrest. The constable leaves.

The constable's actions are permitted.

A constable can call the police, like any other person can. The fact that a constable cannot themselves arrest a person does not bar a constable from calling the police, like anyone else, to report a crime or to be protected from harm.

III. REMOVAL OF PROPERTY

Example 17: Eviction and Removal of Personal Items

A constable, as part of an eviction, is removing items from a residence. The person who had been living in that residence tells the constable not to remove the items. The constable continues to remove the items according to the order of eviction. The constable does not use or threaten force and does not do or say anything that can be considered threatening towards the person.

The constable's actions are permitted.

Mere removal of items from a residence in accordance with a lawful order of eviction is not an arrest or a seizure. Nor is it a police duty or function.

Example 18: Eviction and Call to the Police (Threatening Individual)

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence refuses to get off the bed which is still located in the residence. The constable removes all other items in the residence and calls the police to assist with the person in the bed. The police arrive and remove the person. The constable then removes the bed.

The constable's actions are permitted.

Mere removal of items in accordance with a lawful order of eviction is permissible. The constable did not seize or arrest the person in the residence, nor did the constable engage in a police duty or function. Instead, the constable lawfully called the police who removed the person from the residence.

Example 19: Eviction and Call to the Police (Threatening Crowd)

A constable, as part of an eviction, is removing items from a residence. A crowd of people surround the residence and start shouting for the constable to stop removing items. The constable continues removing items. When the crowd becomes more hostile, the constable calls the police to assist. The police arrive. The police arrest one person. The constable continues to vacate the property.

The constable's actions are permitted.

The constable did not arrest or seize anyone, nor did the constable perform a police duty or function. When it seemed that physical force might be necessary, the constable called the police who engaged in the physical detention of a person.

A constable is permitted—in fact, encouraged—to contact the police when physical restraint or detention may be necessary or when a situation appears likely to lead to a physical confrontation.

Example 20: Eviction and Threat to Use a Gun

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence asks the constable not to remove the items. The person is not threatening the constable but is blocking the constable's path to the items in the residence. The constable displays what appears to be a gun and tells the person that he doesn't want any problems. The person, afraid, no longer blocks the constable. The constable continues to vacate the property.

The constable's actions are not permitted.

In this situation, the constable displayed the gun in an effort to assert authority over the person and gain that person's compliance while the constable was carrying out the orders of the

court. The person reasonably understood that was the constable's intention and complied. The constable's actions here were an exercise of a police duty or function, and there was no justification for the constable's actions under the doctrine of self-defense because the person was not threatening the constable with physical harm.

IV. POST-SCRIPT

Whether an action is permissible or not depends on the specific facts of a case. The examples above are meant to provide general guidance. They are not intended to serve as advice for any specific case, nor to function as legal advice. If you would like further help with a specific case, please contact a lawyer. You can find resources to find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

Further guidance regarding constables, certification, and the permissibility of constables' actions can be found in Guidance made available by the Massachusetts Peace Officer Standards and Training Commission: <https://399759da.delivery.rocketcdn.me/wp-content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf>

If you have further questions about the requirements for law enforcement certifications or the statutes and regulations governing constables with respect to such certification, you can contact the Massachusetts Peace Officer Standards and Training Commission at: <https://mapostcommission.gov/>

¹ See M.G.L. c. 6E, 555 CMR 1.00, 555 CMR 6.00, 555 CMR 9.00; see also Massachusetts Peace Officer Standards and Training Commission, "Guidance for Constables and Other Law Enforcement Personnel Regarding 555 CMR 9.00" (June 4, 2025, 12:03 PM) <https://399759da.delivery.rocketcdn.me/wp-content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf>

² M.G.L. c. 6E, § 1 (defining a "law enforcement officer" to include "a constable executing an arrest for any reason"); 555 CMR 9.12 (explaining that a law enforcement officer may not execute an arrest or perform police duties or functions if that law enforcement officer is an uncertified constable). In this document, the term "certified"

means certified as a law enforcement officer by the Massachusetts Peace Officer Standards and Training Commission pursuant to M.G.L. c. 6E, § 4, and 555 CMR 7.00 or 555 CMR 9.00.

³ Id.

⁴ See, e.g., Tinsley v. Town of Framingham, 485 Mass. 760, 769 (2020) (“An arrest occurs where there is (1) an actual or constructive seizure or detention of the person, [2] performed with the intention to effect an arrest and [3] so understood by the person detained.” (alterations in original) (internal citations and quotations omitted)).

⁵ See, e.g., Commonwealth v. Chambers, 465 Mass. 520, 528 (2013) (initial aggressor); Commonwealth v. King, 460 Mass. 80, 83 (2011) (proportionality of force); Commonwealth v. Mercado, 456 Mass. 198, 209 (2010) (duty to retreat).

⁶ See, e.g., Commonwealth v. Mercado, 456 Mass. 198, 209 (2010) (duty to retreat).

DOs and DON'Ts for CONSTABLES



Dated: October 2025

In recent years, statutes and regulations have impacted constables and the work they are permitted to do in Massachusetts.

The present document has been created to provide practical guidance about which actions are permitted and not permitted under Chapter 6E of the Massachusetts General Laws and Title 555 of the Code of Massachusetts Regulations.

For a violation of an applicable statute or regulation, the POST Commission reserves the right to impose any fine or sanction permitted by law. See e.g., M.G.L. c. 6E, § 3.

In this document, we will assume that the constables in question are acting in their capacity as constables and are not certified by the POST Commission.

Questions?

You can find additional information about the laws referenced above at the following website:

<https://mapostcommission.gov/about-post/regulations-advisories-and-guidance/>

If you have general questions about those laws, you can contact the POST Commission at 617-701-8401.

If you seek legal advice about a specific case, you can find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

DOs

Serve Papers. A constable may serve papers on an individual, even when those papers include capias warrants or orders from a court.

Remove Property. A constable may remove items from a residence as part of a lawful eviction.

Call the Police. A constable is permitted—in fact, encouraged—to call the police if an individual is acting in a way that the constable believes might escalate into physical violence. A constable may also call the police if there is a need to detain someone or to remove someone physically from an area or residence.

Act in Self-Defense. Constables may protect themselves, like any other person, according to the laws of self-defense. Generally speaking, to be protected by the laws of self-defense, a constable, like any other person, cannot use more force than is reasonably necessary and cannot use force if there is a safe way to avoid using such force. The use of force should be a last resort, to be used only when a constable believes such force is necessary to protect the constable or another from the immediate danger of physical harm.

DON'Ts

Generally speaking, a constable may not engage in the conduct listed below. An exception exists in situations where a constable takes such actions in self-defense. (See above.)

Use Force. A constable is not permitted to use physical force to restrain an individual. Such impermissible force includes any form of deadly force or even pushing, striking, or holding an individual against that person's will.

Physically Detain. A constable is not permitted to physically detain an individual. Such impermissible detention includes, for example, placing an individual in handcuffs or holding an individual in place to prevent that individual from leaving.

Threaten to Detain or Use Force. A constable is not permitted to threaten to detain an individual or threaten to use force against an individual in an effort to make an individual comply with the constable's commands. Such impermissible threats include not only direct threats but indirect and implied threats and especially include threats of deadly force facilitated by the display of a firearm.