



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

February 13, 2026

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 #73

February 19, 2026

9:00 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 938 9106 4289

EXECUTIVE DIRECTOR

Enrique A. Zuniga

- 1) Call to Order
- 2) Approval of Minutes
 - a) January 15, 2025
- 3) Executive Director Report – Enrique A. Zuniga, Eric Rebello-Pradas
 - a) General Update
 - b) Finance & Administration Update
- 4) Agency Certification Standards – Randall E. Ravitz, Annie E. Lee
 - a) Detainee Transportation
 - b) Collection & Preservation of Evidence
- 5) Legal Update – Randall E. Ravitz, Heather E. Hall, Annie E. Lee
 - a) Use of Force Model Policy
- 6) Application for Voluntary Relinquishment of Certification
 - a) Paul Oliveira, formerly of the New Bedford Police Department

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mass.gov/orgs/post-commission

MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- 7) Performance Evaluation of the Executive Director
 - 8) Matters not anticipated by the Chair at the time of posting
 - 9) 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 matters relating to preliminary inquiries and initial staff review concerning whether to initiate such inquiries, and regarding certain criminal 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) Division of Standards reports of Preliminary Inquiries in the following cases:
 - i) PI-2025-031
 - ii) PI-2025-039
 - iii) PI-2025-032
 - iv) PI-2025-036
 - b) Application for Voluntary Relinquishment of Certification in the following matter:
 - i) Erik Loiko formerly of the Southampton Police Department
 - c) Division of Standards request to enter voluntary decertification, suspension or disposition agreement in the following cases:
 - i) PI-2025-022
 - d) Division of Standards request for approval to conduct Preliminary Inquiries and/or impose a suspension in the following cases:
 - i) PI-2026-008
 - ii) PI-2026-009
 - iii) PI-2026-010
 - iv) PI-2026-011
 - v) PI-2026-012

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- vi) PI-2026-013
 - vii) PI-2026-014
 - viii) PI-2026-015
 - ix) PI-2026-016
 - x) PI-2026-017
 - xi) PI-2026-018
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- e) Suspension Hearing in the Matter of Michael Villanueva, Case No. 2025-038
 - f) Suspension Hearing in the Matter of Sean Flaherty, Case No. 2024-026
 - g) Approval of the minutes of the Executive Session of January 15, 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
January 15, 2026
8:30 a.m.
Via Zoom

Documents Distributed in Advance of Meeting

- December 18, 2025, Public Meeting Minutes
- Executive Director Report
- Memo regarding the FY26 Q2 update
- Memo regarding the recommendation to form advisory committee
- Proposed Guidance Regarding Heads and Officers of Law Enforcement Agencies
- Presentation on the two drafted law enforcement agency certification standards
- Memo concerning the drafted law enforcement agency certification standards regarding juvenile operations
- Draft agency certification standards regarding juvenile operations
- Memo regarding the drafted law enforcement agency certification standards and internal affairs and officer complaint investigation procedures
- Draft agency certification standards regarding internal affairs and officer complaint investigation procedures
- Letter from Massachusetts Chiefs of Police Association (“MCOPA”) to Executive Director Enrique A. Zuniga

1. Call to Order

- The meeting began at 8:38 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 Eddy Chrispin – Present
 - Commissioner Deborah Hall – Present
 - Commissioner Marsha V. Kazarosian – Present
 - Commissioner Clyde Talley – Present
- Chair Hinkle noted that Commissioner Charlene D. Luma was unavailable for the beginning of the Commission meeting.

2. Approval of Minutes

- Chair Hinkle asked for a motion to approve the December 18, 2025 minutes. Commissioner Talley moved to approve the minutes. Commissioner Kazarosian seconded the motion.
- The Commissioners voted unanimously to approve the December 18, 2025, public meeting minutes.

3. Executive Director Report – Executive Director Zuniga

- Executive Director Zuniga began his report by acknowledging the recent passing of Officer Stephen LaPorta of the Uxbridge Police Department, who died from injuries

sustained in a crash while assisting a motorist, and extended condolences to the officer's family, department, and community.

- He reminded members of the public that the Commission does not take public comment during meetings and instead accepts written submissions through the posted contact channels.
- Executive Director Zuniga then addressed a letter received by the Commission from MCOPA regarding the Commission's recent guidance to constables.
- He stated that staff are reviewing the letter and will return to the Commission at a future meeting if amendments or additional clarification to the guidance are recommended.
- Executive Director Zuniga began his PowerPoint presentation and provided a general update on the Commission's operations and ongoing projects. He stated the following.
 - Staff continue working to ensure that required reports and performance metrics are generated consistently from the Commission's systems of record, including materials due to the Legislature by March 15 and included in the Commission's annual report.
 - The Commission is preparing key data and metrics for upcoming testimony before the Joint Committee on Ways and Means in support of the next fiscal year budget request.
 - The Commission is preparing to deploy the initial phases of a business intelligence tool to improve reporting and data management and will provide further updates at a future meeting.
 - The recently completed integration with the Commonwealth's criminal justice information system is functioning as intended and provides notifications when officers in the Commission's database have court interactions.
 - Agencies remain required to report qualifying incidents to the Commission within two business days, and staff have used the system to follow up with agencies when required reports were not submitted.
- Executive Director Zuniga provided an outreach update. He stated as follows.
 - He attended the annual meeting of the MCOPA, where Chief Shane Woodson of Southbridge was welcomed as the new president, succeeding Chief Christopher Delmonte of Bridgewater.
 - He noted the association's continued engagement with the Commission and expressed appreciation for ongoing collaboration with its leadership.
- Executive Director Zuniga delivered a financial and administrative update for the second quarter of FY26. He stated as follows.
 - As of the end of December 2025, approximately 49% of the annual budget had been committed, aligning with the midpoint of the fiscal year and indicating fewer anticipated reversions than in prior years.
 - Payroll remained slightly under budget due to managed hiring timelines implemented to ensure sustainability pending clarity on future funding levels.
 - Information technology expenses are trending above initial projections due to increased service contract rates, but the overall fiscal outlook remains stable.
 - The Commission is preparing for the FY27 budget process, including an anticipated request of approximately \$9.59 million to support planned staffing and operational growth.

- Kimberly Shatford has been hired as Information Management Counsel and Records Access Officer, and an additional attorney position in that area has been posted.
- Two additional Intake Coordinator positions have been posted to address increasing complaint and incident report volumes, and staff are planning projects for upcoming interns.
- Executive Director Zuniga concluded his report, and Chair Hinkle noted that there were no questions or comments from the Commissioners.
- Chair Hinkle thanked Chief Financial Administrative Officer Eric Rebello-Pradas and Commissioner Luma, who serves as the Commission’s Treasurer, for their work in this area and turned the floor back over to Executive Director Zuniga for the next item on the agenda.

4. Recommendation to Form Advisory Committee – Executive Director Zuniga

- Executive Director Zuniga introduced the agenda item concerning the potential formation of an advisory committee and stated that, at this time, they were asking that the Commission vote on whether to form an advisory committee rather than the composition of that committee.
- He referenced the memorandum included in the meeting packet summarizing recent stakeholder correspondence and discussions. He stated as follows.
 - The Commission has received multiple communications from external stakeholder groups expressing support for the creation of an advisory committee to provide input on the Commission’s work.
 - Correspondence began with a letter from MCOPA in October 2025, followed by a meeting with representatives and a subsequent November 2025 letter further clarifying their recommendation.
 - MCOPA recommended that any advisory committee include both law enforcement representatives and other subject matter experts who are not necessarily from law enforcement.
 - The Commission also received letters of support from the Massachusetts Association of Campus Law Enforcement Administrators, the Massachusetts Association of Professional Law Enforcement, and the Massachusetts Coalition of Police, each expressing interest in participation and supporting formation of a committee with diverse representation.
 - Executive Director Zuniga clarified that creation of such a committee is not mandated by statute but stated that, in his view, it is a “need to have” rather than a “nice to have,” particularly as the Commission develops agency certification standards that will affect law enforcement agencies statewide.
 - He stated that an advisory committee would allow stakeholders to provide input during the early development of standards, which could improve communication, transparency, and buy-in from the field.
 - Executive Director Zuniga noted that the Commission would retain full authority over the committee’s composition and could modify membership if necessary to ensure the group remains constructive and effective.
 - He further noted that, if formed, the advisory committee would be subject to the Open Meeting Law, which he stated would promote transparency and productive participation.

- Executive Director Zuniga stated that staff were seeking a threshold vote on whether to form an advisory committee, with specific recommendations on structure and membership to follow if the vote were favorable.
- Commissioner Kazarosian expressed reservations about forming the advisory committee. She stated as follows.
 - While she supports receiving stakeholder input, she questioned whether a formal advisory committee would add value beyond existing channels.
 - She noted that such a committee’s recommendations would not carry greater weight than input the Commission already considers.
 - She raised concerns about Open Meeting Law compliance, potential liability, and the Commission’s responsibility for overseeing the committee, referencing prior litigation.
 - She suggested that outside associations could form their own groups and provide recommendations directly, which the Commission would still consider.
 - She also observed that law enforcement perspectives are already represented on the Commission and concluded she was not yet persuaded that a formal advisory committee is necessary.
- Executive Director Zuniga responded. He stated the following.
 - He noted that prior litigation arose from informal working groups that were alleged to fall under the Open Meeting Law.
 - He explained that a formally established advisory committee would operate transparently under the Open Meeting Law from the outset.
 - He acknowledged that staff support would be required but stated that Commissioner workload would not significantly increase, and he thanked Commissioner Kazarosian for her comments.
- Commissioner Bluestone expressed opposition to forming the advisory committee. She stated as follows.
 - She acknowledged the importance of stakeholder input but noted that the Commission itself was designed to be a diverse, civilian body reflective of the Commonwealth.
 - She stated that while additional operational perspectives from law enforcement can be helpful, a formal advisory body that mirrors existing representation would be duplicative.
 - She concluded that she does not support creating a committee that would replicate functions already performed by the Commission.
- Commissioner Calderone also spoke in opposition. He stated as follows.
 - He expressed concern that a formal advisory committee could create the appearance that the Commission is overly weighted toward law enforcement perspectives, contrary to legislative intent.
 - He emphasized that the Commission already provides opportunities for all stakeholders to offer input on policies and regulations.
 - He noted that proposed committee structures appeared to be heavily composed of law enforcement–affiliated members and stated that this would be a “bad look” in terms of transparency and balance.

- Commissioner Talley questioned the necessity of the proposed committee. He stated that the Commission should consider what specific gap in the Commission’s current work would require the formation of such a group.
- Executive Director Zuniga responded regarding the purpose of a structured advisory body. He stated as follows.
 - The Commission does not currently maintain a regularly scheduled or structured forum for recurring engagement with outside stakeholder groups, and feedback is typically received informally through correspondence and staff-level dialogue.
 - A formal advisory committee would create a predictable cadence for previewing policy matters, consulting stakeholders, and receiving feedback before issues come before the Commission for action.
 - He provided a recent example involving guidance related to constables, noting that stakeholder feedback was submitted only after the Commission had already voted, whereas a more structured process might have facilitated earlier input.
 - He stated that the primary benefit of such a committee would be improved timing, coordination, and regularity of stakeholder engagement on developing policy matters.
- Commissioner Chrispin acknowledged the concerns raised but stated that, despite the Commission’s diversity, it can still benefit from additional outside viewpoints. He noted that input often comes primarily from law enforcement and suggested that broader public engagement would also be valuable.
- He concluded that hearing from individuals outside the Commission and from varied backgrounds would be useful.
- Commissioner Kazarosian agreed that diverse perspectives are valuable but emphasized that nothing prevents individuals or organizations from already providing input directly to the Commission.
- She expressed concern about the Commission assuming responsibility for overseeing such a committee, and she reiterated that outside groups could organize independently and still receive the same consideration from the Commission, whether or not a formal advisory committee exists.
- Commissioner Calderone commented on Executive Director Zuniga’s comment regarding the guidance related to constables. He expressed the view that organizations interested in the Commission’s work should monitor and participate in public meetings rather than rely on the Commission to initiate outreach.
- He emphasized the importance of transparency and stated that the Commission should not be responsible for pursuing outside entities for input.
- Executive Director Zuniga reiterated that the pending vote concerns only whether to form an advisory committee, not its composition.
- He recommended that discussion of the committee’s structure be deferred unless the Commission first votes in favor of creating the committee.
- As there were no further questions or comments, Chair Hinkle proceeded with a roll-call vote on whether to form an advisory committee.
 - Commissioner Baker – Yes
 - Commissioner Bluestone – No
 - Commissioner Calderone – No
 - Commissioner Chrispin – No

- Commissioner Hall – Yes
- Commissioner Kazarosian – No
- Commissioner Talley – No
- Chair Hinkle – No
- The Commission voted 6-2 not to form an advisory committee.
- Chair Hinkle then moved to the next item on the agenda, turning the floor over to General Counsel Randall E. Ravitz.

5. Legal Update – General Counsel Ravitz

- General Counsel Ravitz presented the proposed guidance regarding heads and officers of law enforcement agencies. He stated as follows.
 - The proposed document, included in the meeting packet, is intended to clarify how the Commission interprets the terms “head of an agency” and “officer of an agency” for purposes of applying M.G.L. c. 6E and Commission regulations.
 - The guidance does not create new rules but reflects the Commission’s interpretation based on statutory text, structure, established principles of statutory construction, related legal sources, and Commission experience.
 - The guidance does not apply to sheriff’s office personnel, who are treated separately under the statute.
- General Counsel Ravitz then summarized the sections concerning agency heads and officers of an agency. He stated as follows.
 - The Commission will ordinarily view the highest-ranking individual who exercises day-to-day supervision and control of an agency’s law enforcement functions as the “agency head” for purposes of Chapter 6E.
 - Although agencies may have differing titles and organizational structures, the statute contemplates a single accountable agency head, particularly for required reporting obligations to the Commission.
 - If an agency does not clearly identify such an individual, the Commission may request clarification and, if necessary, designate the most appropriate person for these purposes.
 - Individuals empowered to make arrests or perform substantial law enforcement functions by virtue of their affiliation with an agency will be considered officers.
 - Individuals who exercise or hold themselves out as exercising an agency’s law enforcement authority will also be treated as officers.
 - Agency heads will be presumed to be officers because the statute contemplates that they are certified and subject to administrative suspension if certain statutory duties are not fulfilled.
 - The guidance also allows the Commission to determine, based on a range of non-exclusive factors, that other individuals qualify as officers depending on the nature of their roles and functions.
- General Counsel Ravitz addressed implementation and information-gathering. He stated the following.
 - The Commission may seek information from agencies, officers, or others as needed to determine whether an individual qualifies as an agency head or officer.
 - He acknowledged that some individuals may need time to come into compliance and noted that existing statutes and regulations provide mechanisms such as extensions or conditional certifications to accommodate individual circumstances.

- General Counsel Ravitz stated that individuals classified as agency heads or officers are subject to various statutory and regulatory requirements and should review the applicable provisions directly.
 - General Counsel Ravitz concluded by inviting feedback and questions from Commissioners and members of the public regarding the proposed guidance.
 - As there were no further questions or comments, Chair Hinkle moved to the next item on the agenda.
- 6. Agency Certification Standards – General Counsel Ravitz, Counsel Annie E. Lee**
- General Counsel Ravitz turned the floor over to Counsel Lee for her presentation on two proposed agency certification standards.
 - Counsel Lee presented two agency certification standards for the Commission’s consideration. She stated as follows.
 - The first standard concerns juvenile operations. Pending questions or feedback, she would be seeking preliminary approval on this standard.
 - The second standard concerns internal affairs and officer complaint investigation procedures. As this was its first presentation to the Commission, she would not be seeking preliminary approval.
 - Counsel Lee introduced the revised Juvenile Operations standard. She stated as follows.
 - The standard was last before the Commission in November 2025.
 - The November revisions reflected feedback from multiple stakeholders, including the Municipal Police Training Committee (“MPTC”), MCOPA, Strategies for Youth, and representatives of the Juvenile Court.
 - At that time, the Commission requested further refinement to two provisions, which are now presented in revised form.
 - The first revised element related to Department of Children and Families (“DCF”) matters.
 - The revised language clarifies that officers should work with DCF personnel in an assistive and supportive role.
 - It specifies that officers’ primary responsibilities in these matters are to maintain safety and manage associated risks.
 - It directs officers to use de-escalation tactics consistent with their agency’s use-of-force policies, Commission regulations, and applicable training.
 - The second revised element related to Child Requiring Assistance (“CRA”) matters.
 - The revisions clarify when an officer may take a youth into protective custody under the CRA statute.
 - They outline the applicable obligations and prohibitions that apply when a youth is taken into protective custody.
 - They also direct officers to provide medical care to a CRA youth when appropriate.
 - Counsel Lee concluded her presentation on the Juvenile Operations standard and invited questions or feedback from the Commissioners.
 - Commissioner Calderone raised a question regarding the prohibition on shackling or similar restraints for youth. He expressed concern that an absolute prohibition may not account for situations in which a juvenile poses a danger to themselves or others during transport.

- He asked whether the Commission had discussed exceptions for safety-based circumstances and stated that this issue warrants further consideration.
- Counsel Lee responded to Commissioner Calderone's question. She stated that this specific concern had not been discussed previously because earlier draft language was more general.
- She noted, however, that the prohibition on shackling or similar restraints is derived from the CRA statute.
- Commissioner Calderone asked whether, from the Commission's perspective, the standard is intended to prohibit restraining juveniles, noting that juveniles are currently restrained in practice.
- He then recommended striking the referenced line until the Commission can clarify what the CRA provision requires, explaining that juveniles may be restrained for safety even when there is no criminal behavior.
- Counsel Lee stated that the draft is intended to incorporate obligations and prohibitions under the CRA statute, which she understood to apply when a youth is taken into protective custody. She noted that circumstances involving potentially criminal behavior may fall outside the protective-custody context, and she indicated she would defer to Commissioners with relevant subject-matter experience.
- Commissioner Calderone reiterated his recommendation that the referenced line be removed from the draft standard and stated that, in practice, officers sometimes restrain juveniles for safety reasons even when there is no criminal behavior.
- Commissioner Bluestone stated that while the intent of the provision is to reflect that officers respond in a supportive role in non-criminal juvenile matters, she shared Commissioner Calderone's concern that situations can become volatile and officers should retain appropriate safety options if circumstances escalate.
- Chair Hinkle asked whether the referenced provision could be removed in order to allow the standard to move forward for a vote.
- Counsel Lee responded that she could seek additional subject-matter input and return with further detail, but if the provision was the only barrier to a vote, she was amenable to striking it for now, noting that the standard could still be revised before final promulgation.
- Commissioner Chrispin stated that the CRA statute is already established in law and may not reflect the practical realities officers face. He noted that even in CRA situations, a youth may become physically combative during transport, including in medical settings, creating safety concerns that may necessitate restraint.
- He suggested the issue may warrant legislative attention rather than regulatory revision.
- Executive Director Zuniga recommended that the Commission strike the referenced language for now, proceed with a vote if ready, and revisit the issue later with additional clarification if needed.
- Chair Hinkle stated that, in the interest of expediency, she would call for a vote on the juvenile operations standard with the provision regarding shackling or similarly restraining a youth removed.
- Counsel Lee confirmed that she was agreeable to revising the document in accordance with the Commission's direction.

- Chair Hinkle then called for a vote on preliminary approval of the juvenile operations standard as amended. The Commission voted as follows.
- The Commissioners voted unanimously to preliminarily approve the draft juvenile operations standard as amended.
- Counsel Annie Lee presented the draft internal affairs (“IA”) and officer complaint investigation procedures agency certification standard, noting that this was its first appearance before the Commission. She stated as follows.
 - The draft was developed using a broad range of sources, including U.S. Department of Justice best practices, law enforcement and reform-focused stakeholder materials, policies from agencies within Massachusetts and other states, independent agency review reports, existing Massachusetts statutes and regulations, and public comment.
 - The draft identifies eleven key elements for inclusion in an agency IA policy, several of which align with provisions already included in the criminal investigation procedure standard previously approved by the Commission.
- Counsel Lee then summarized the eleven key elements. She stated the following.
 - Key Principles
 - Agency IA policies should emphasize officers’ duties to act professionally and ethically, maintain public trust, and uphold transparency, accountability, and responsibility.
 - Reporting
 - Agencies should define the types of matters that may be reported as IA concerns, including field conduct, workplace conduct, bias, harassment, discrimination, sexual misconduct, domestic violence, and retaliation, while clarifying that reports may also concern agency policies, practices, or customs.
 - Agencies should provide multiple accessible methods for reporting, including in person, by phone, online, orally, and in writing, and, where feasible, allow anonymous and third-party reporting in multiple languages.
 - Prohibited Conduct
 - Agencies and officers should be prohibited from actions intended to deter, intimidate, or retaliate against individuals making IA reports, including requiring oaths, conducting background, warrant, or immigration checks, or requiring waiver of legal rights for that purpose.
 - Officers should not attempt to persuade a complainant to withdraw or abandon a report once an IA investigation has begun.
 - Review and Screening
 - Agencies should allow complainants to review their statements for accuracy before finalization and should screen all reports to determine both the Commission’s reporting obligations and whether an IA investigation should be initiated.
 - Management of IA Investigations
 - Agencies should establish requirements covering the full investigative process, including assigned personnel, timeframes, documentation, file maintenance, confidentiality, and appeal procedures consistent with applicable collective bargaining agreements.

- Records Retention
 - Agencies should adopt IA record retention provisions consistent with the Public Records Law and Commission regulations.
- Conflicts of Interest
 - IA policies should prohibit officers from conducting investigations where they have an actual or potential conflict, outline reporting and evaluation procedures, and provide for referral of investigations outside the agency when necessary to ensure integrity.
- Referrals
 - IA policies should establish when reports must be referred to external entities, such as District Attorneys for potential criminal conduct or the Commission for certification-related matters.
- Communications
 - Agencies should set requirements governing when and how information about IA investigations is shared with involved officers, complainants, the Commission, civilian oversight bodies where applicable, and the public.
- Tracking and Analysis
 - Agencies should, at least annually, collect, track, and analyze IA reports to identify trends, early intervention needs, policy improvements, and best practices, and should publish an annual public summary of that analysis.
- Internal Inspection and Auditing
 - Agencies should periodically review completed IA investigations to determine whether changes to policies, practices, or training are warranted.
- Training
 - Agencies should ensure officers receive IA-related training consistent with applicable requirements.
- Counsel Lee noted that consultation with the MPTC is ongoing and that she anticipates returning to the Commission with a revised draft after receiving additional feedback.
- She then invited questions and comments from the Commissioners.
- Commissioner Calderone questioned whether the standard should include enforceable timelines with meaningful consequences for agencies that fail to complete IA investigations in a timely manner.
- He expressed concern that, in practice, some departments allow investigations of alleged rule violations to remain open for many years, which he stated is unfair to officers, complainants, and the public, and undermines accountability.
- Commissioner Baker agreed that routine matters should not remain open for excessive periods but cautioned that IA investigations sometimes depend on outside entities such as courts, district attorneys, or federal agencies, which can delay completion.
- He stated that any timeframe should account for those circumstances and avoid a rigid, one-size-fits-all approach where agencies are waiting on external processes beyond their control.
- Commissioner Calderone clarified his earlier remarks and stated that his concerns about delayed investigations were directed at routine internal rule and regulation violations, not matters dependent on outside entities such as district attorneys or courts.

- Executive Director Zuniga stated that staff will continue providing quarterly public reporting on agencies that are not in compliance with Commission requirements as an initial accountability measure.
- He explained that the Division of Police Standards is developing a formal process that would document and escalate ongoing deficiencies, with repeated notices potentially leading to administrative suspension of a senior agency official.
- Executive Director Zuniga further stated that the Legal Division is exploring the promulgation of regulations to establish fines or other penalties as an additional enforcement tool, noting that while the Commission believes it has statutory authority, formal regulations would be needed before implementing such measures.
- Commissioner Talley agreed that minor matters should be resolved in a timely manner. He added that when delays are caused by reliance on outside agencies, departments should at least communicate that the matter remains active and identify the external dependency so that complainants and officers understand the reason for the delay.
- Commissioner Chrispin observed that when minor incidents remain unaddressed for years and are later grouped together, the cumulative record can appear more serious than if each matter had been addressed promptly at the time.
- He stated that prolonged delays are a disservice both to complainants and to officers, and that standards without meaningful enforcement mechanisms are unlikely to change agency practices.
- Commissioner Calderone expressed appreciation for Executive Director Zuniga's outlined enforcement approach and urged that any sanctions focus on agency leadership rather than municipalities generally.
- He stated that accountability should rest with the decision-maker at the head of the agency and reiterated that lengthy unresolved investigations deny closure to both complainants and officers.
- Chair Hinkle thanked Counsel Lee for her presentation and, seeing no questions or comments from the Commissioners, moved to the next item on the agenda.

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.

8. 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 inquiry in two cases.

- o They will be considering an application for voluntary relinquishment of certification in a single matter.
- o They will be considering the request to enter a voluntary decertification, suspension, or disposition agreement in four cases.
- o They will be considering requests from the Division of Police Standards to approve a preliminary inquiry and or to impose a suspension in seven cases.
- o They will also be addressing approval of the minutes of the December 18, 2025, executive session.
- Chair Hinkle asked for a motion to enter executive session. Commissioner Baker moved to enter executive session, and Commissioner Talley 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 the Commission would not reconvene its public meeting after the executive session.
- Executive Director Zuniga reminded members of the public that they can send comments and find contact information through the Commission website.
- Chair Hinkle 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 10:04 a.m.

Summary of Matters Voted on by the Commission

- Approval of minutes of December 18, 2025, meeting.
 - o The Commission voted unanimously to approve the minutes included in the meeting packet.
- Commission vote on whether to form an advisory committee.
 - o The Commission voted 6-2 not to form an advisory committee.
- Preliminary approval of the draft juvenile operations standard as amended.
 - o The Commissioners voted unanimously to preliminarily approve the draft juvenile operations standard with the provision regarding shackling or similarly restraining a youth removed.

3.



Executive Director Report

February 19, 2026

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Agenda

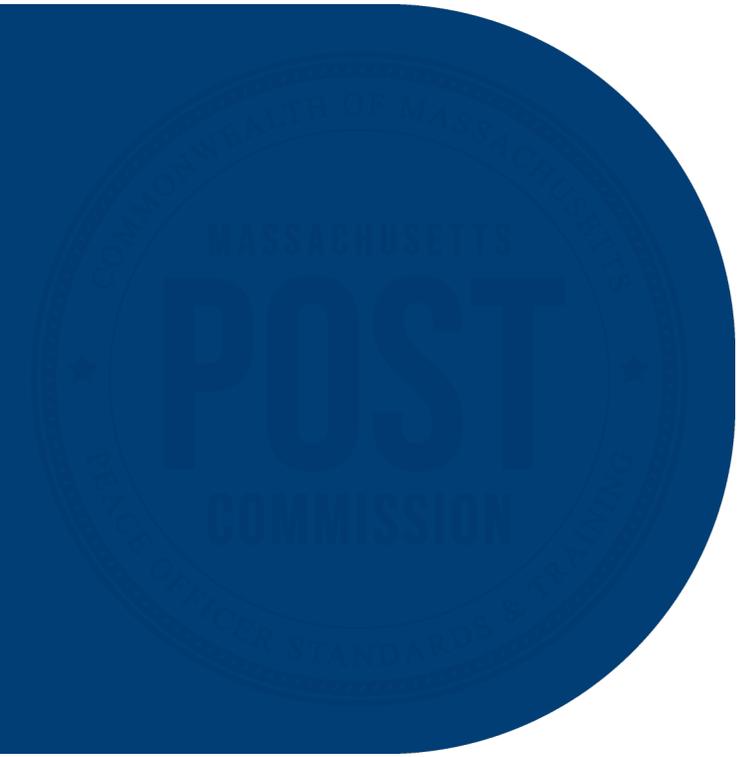
1. General Update
2. Finance & Administrative Update

General Update



- School Resource Officer MOU Review Commission (M.G.L. c. 71, Section 37P(b)).
 - ✓ Meets every 5 years and makes changes/updates to the model MOU
 - ✓ Model MOU between Superintendent of Schools and Chief of PD
 - ✓ Began meeting last month and will continue to meet monthly
 - ✓ POST Director of Certification is statutory member of Review Commission
- Meeting with MPTC and Sheriffs Re: Specialized Academy for Deputy Sheriffs
- Community Meeting in Worcester Re: Civilian Oversight Board

Finance & Administrative Update



F&A Update



FY26 Activity

- Mid-Year Review Exercise with Administration & Finance (A&F)
- Focus on Reversions (~\$300K-\$500K)

FY27 Budget Development

- Governor's FY27 Budget was Filed on Wednesday, January 28th
- POST's Appropriation: **\$9.01M**
- ***Next Step:*** Testimony before JWM - TBD

F&A Update



Human Resources

- Open/Posted Positions:
 - Information Management Counsel & Records Access Officer
 - Intake Coordinators (2)
 - Data Analyst
 - IT Data Analytics Manager
 - Enforcement Counsel
- Headcount: 51



Massachusetts Peace Officer Standards & Training
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4.



LAW ENFORCEMENT AGENCY (“LEA”) CERTIFICATION

Annie E. Lee, Counsel
George Boateng, Legal Fellow
February 2026



AGENDA

1. Detainee Transportation – preliminary approval
2. Collection and Preservation of Evidence – revisions and preliminary approval



DETAINEE TRANSPORTATION

Process:

- September 2025 – Initially presented to Commission
- November 2025 – Feedback from MPTC
- December 2025 – Comment letter from Massachusetts Chiefs of Police Association (MCOPA); Revisions presented to Commission
- January 2026 – Revisions presented to MPTC

Key elements:

- Key principles
- Officer conduct
- Transport vehicles
- Searches
- Restraints
- Supervision and surveillance
- Transportation considerations
- Safety
- Transfer of detainee in custody
- Training



COLLECTION AND PRESERVATION OF EVIDENCE

Process:

- November 2025 – Presented to Commission
- January 2026 – Presented to MPTC

Key elements:

- Key principle
- Requirements and restrictions for specific types of evidence
- Initial collection and preservation
- Transportation and transfer
- Storage
- Submission to forensic laboratory
- Retention
- Relinquishment, permanent release, and disposal
- Chain of custody
- Evidence tracking
- Internal auditing
- Training



COLLECTION AND PRESERVATION OF EVIDENCE

Process:

- November 2025 – Presented to Commission
- January 2026 – Presented to MPTC

Key elements:

- Key principle
- Requirements and restrictions for specific types of evidence
- Initial collection and preservation
- Transportation and transfer
- Storage
- Submission to forensic laboratory
- Retention
- Relinquishment, permanent release, and disposal
- Chain of custody
- Evidence tracking
- Internal auditing
- Training



OWNER IDENTIFICATION

Proposed Revisions:

(g) Set forth specific and comprehensive requirements concerning the packaging, sealing, and labeling of evidence, including, if ascertainable, the identification of the owner of the evidence;

...

(k) Include a sub-policy or provision concerning the storage and preservation of evidence and property that sets forth specific and comprehensive requirements and restrictions concerning:

...

(3) The packaging and labeling of evidence and property for storage, including if ascertainable, the identification of the owner of the evidence or property;

...

(o) Include a sub-policy or provision concerning the maintenance of the chain of custody for evidence, which shall set forth comprehensive and specific requirements concerning:

...

(2) The information required to be recorded in the agency's chain of custody log or equivalent, which shall include, but not be limited to:

...

(b) if ascertainable, the identification of the owner of the evidence;



RETURN OF EVIDENCE AND PROPERTY

Proposed Revisions:

Include a sub-policy or provision concerning the return, relinquishment, permanent release, or disposal of evidence and property that:

1. Addresses the circumstances under which it is permissible to return, relinquish, permanently release, or dispose of evidence and property, considering:

a. The statute of limitations of any crime with which the evidence that the agency seeks to return, relinquish, permanently release, or dispose of is associated;

b. The status of any case with which the evidence that the agency seeks to return, relinquish, permanently release, or dispose of is associated; ~~and~~

c. Retention requirements, as set forth in the sub-policy or provision developed in accordance with the standards set forth in 555 CMR 13.03(9)(m); and

d. The process for determining appropriate individuals who may receive returned or relinquished evidence and property;

2. Sets forth comprehensive and specific requirements concerning any required notification and authorization prior to the return, relinquishment, permanent release, or disposal of evidence, including with any other Commonwealth agencies or entities with responsibility for maintaining evidence;

3. Sets forth comprehensive and specific requirements concerning the documentation of the return, relinquishment, permanent release, or disposal of evidence and property, including the retention of any such documentation, that shall comply with the requirements of M.G.L. c. 4, § 7(26); M.G.L. c. 30, § 42; M.G.L. c. 66; M.G.L. c. 66A; 555 CMR 12.03(1)(d) and 12.03(3)(b); other associated regulations; and the Massachusetts Statewide Agency Records Retention Schedule or Municipal Records Retention Schedule, developed by the Secretary of the Commonwealth of Massachusetts, as applicable; and

4. Sets forth comprehensive and specific procedures for the return, relinquishment, permanent release, or disposal of evidence and property of a sensitive nature, such as DNA evidence; biohazardous evidence; weapons and firearms; drugs, narcotics, controlled substances, and/or unidentified substances that may possibly be controlled substances; flammable or explosive evidence; cash; and digital evidence;



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

4a.



Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

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

From: Annie E. Lee, Counsel
George Boateng, Legal Fellow

Re: Law Enforcement Agency Certification Standards – Detainee Transportation

Date: February 12, 2026

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

The standard regarding detainee transportation was first presented to the Commission during its September 2025 meeting. Following that meeting, Commission staff sought feedback from the Municipal Police Training Committee (“MPTC”) and the public. The MPTC provided its feedback during its November 2025 meeting, and the Commission received comments from interested stakeholders, including the Massachusetts Chiefs of Police Association (“MCOPA”), shortly thereafter.¹

That feedback and those comments resulted in proposed revisions, which were presented to the Commission during its December 2025 meeting. Following that meeting, Commission staff once again sought feedback from the MPTC. The MPTC, during its January 2025 meeting, indicated that it had no further feedback.

The draft enclosed for the Commission’s review is unchanged from the draft presented to the Commission in December 2025. It is therefore presented to the Commission for preliminary approval in its draft form.

¹ A copy of MCOPA’s comment letter was included in the Commission’s December 2025 meeting packet.

Recommendation: The Commission preliminarily approve the detainee transportation standard, as discussed and presented today, as a draft.

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.

Custody. The state or condition in which an agency and/or an officer has deprived an individual of their freedom of action in any significant way.

Detainee. An individual in the agency’s custody.

Extended Length. Any distance over 100 miles, duration over two hours, or distance or duration that is deemed extended by the agency head or their designee.

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

Transport Vehicle. An agency-owned or -operated vehicle used to transport detainees.

Transport Vehicle Camera (TVC). A camera system intended to monitor the interior of all detainee holding areas within a transport vehicle, allowing an officer to monitor the actions and well-being of detainees being transported in real time, via live video.

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]

- (8) Detainee Transportation. An agency’s detainee transportation policy shall:

Agency Certification Standards – Detainee Transportation (DRAFT)

- (a) Emphasize the sanctity of life and bodily integrity consistent with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
- (b) Emphasize the dignified and respectful treatment of all detainees consistent with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
- (c) Encourage officers to explain to the detainee, when time and circumstances reasonably permit, what the officer is doing and why, where the detainee is being transported and why, and any applicable next steps;
- (d) Include a sub-policy or provision concerning transport vehicles, which shall address:
 - 1. The types of vehicles that may be used as transport vehicles;
 - 2. Any modifications necessary for a vehicle to be used as a transport vehicle; and
 - 3. The requirement to routinely inspect, maintain, and service vehicles used as transport vehicles;
- (e) Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:
 - 1. A provision addressing when the transport vehicle will be searched, which at a minimum, includes prior to placing a detainee in the vehicle, after transferring custody of a detainee, and upon assuming control of the vehicle;
 - 2. A requirement to search the part(s) of the transport vehicle reasonably accessible to a detainee; and
 - 3. A requirement to remove any items or articles discovered during a search;
- (f) Set forth specific and comprehensive procedures concerning the search and restraint of a detainee prior to transporting the detainee, including:
 - 1. A requirement to search the detainee, which shall be done in the least intrusive manner that is effective to safely and effectively transport the detainee, in accordance with M.G.L. c. 276, § 1;

Agency Certification Standards – Detainee Transportation (DRAFT)

2. A requirement to restrain the detainee, which shall be done in the least intrusive and restrictive manner necessary to safely and effectively transport the detainee, which may be handcuffing, without intentionally causing risk of injury, actual injury, or undue pain or discomfort to the detainee;
 3. A requirement to secure the detainee in the transport vehicle, which shall be done with appropriate restraining devices and a functioning seatbelt and to the degree necessary to prevent the detainee's escape and protect the detainee and transporting officers, but in any case, which shall prohibit the affixing of the detainee's restraints to any part of the transport vehicle; and
 4. A provision addressing the circumstances under which the use of force on a detainee is permitted or prohibited, 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;
- (g) Direct officers to keep the detainee under regular supervision and surveillance, either by direct observation or through live audio- and/or video-transmission, throughout the time the detainee is in custody in preparation for transportation and/or being transported, except to conduct necessary law enforcement activities in accordance with the provision developed pursuant 555 CMR 13.03(8)(h)(4), which shall be done in the most expedient manner possible or until relieved by another officer;
- (h) Set forth specific and comprehensive procedures concerning the transport of a detainee, including:
1. A requirement to make every effort to transport the detainee with at least one officer whose gender identity matches the gender identity of the detainee, when time, staffing, and operational conditions reasonably permit;
 2. A requirement to transport a detainee of a gender identity separately from a detainee of another gender identity, when time and circumstances reasonably permit;
 3. A requirement to transport the detainee without unnecessary delay; and
 4. A provision addressing the limited circumstances under which officers are permitted to or prohibited from conducting other law enforcement activities while transporting a detainee;

Agency Certification Standards – Detainee Transportation (DRAFT)

- (i) Include a sub-policy or provision concerning the transportation of youth detainees in accordance with the agency’s juvenile operations policy developed pursuant to 555 CMR 13.03(6)(g);
- (j) Include a sub-policy or provision concerning detainee safety that:
 - 1. Directs officers to operate the transport vehicle in a manner that aims to preserve the safety and security of all passengers;
 - 2. Directs officers to obey all traffic regulations, except when exigent circumstances exist;
 - 3. Prohibits officers from operating the transport vehicle in a manner intended to create discomfort to the detainee, including, but not limited to, by unnecessarily speeding, braking, or making sharp turns;
 - 4. Directs officers to provide an appropriate and timely medical response to, or otherwise procure appropriate medical assistance in a timely manner for, a detainee exhibiting signs of or complaining of injury or illness; and
 - 5. Prohibits officers from leaving the detainee unattended in the transport vehicle, except to conduct necessary law enforcement activities in accordance with the provision developed pursuant 555 CMR 13.03(8)(h)(4), which shall be done in the most expedient manner possible or until relieved by another officer;
- (k) Set forth specific and comprehensive requirements concerning communications with the party or entity that will receive the detainee, including information concerning:
 - 1. The detainee’s known or suspected physical condition;
 - 2. The detainee’s known or suspected mental health condition; and
 - 3. Any requests for medical attention;
- (l) If the agency has transport vehicles outfitted with TVCs, include a sub-policy or provision concerning the use of TVCs that:
 - 1. Directs officers to activate the TVC when transporting a detainee;
 - 2. Prohibits officers from deactivating the TVC until the transport has fully concluded and custody has been transferred; and

Agency Certification Standards – Detainee Transportation (DRAFT)

3. Otherwise complies with the standards set forth in 555 CMR 13.03(4)(1);
- (m) 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 such cameras or systems that:
1. Directs officers to activate their body-worn cameras or any in-car audio- or video-recording systems when transporting a detainee, except where the transport vehicle is outfitted with a TVC and the officer has activated the TVC;
 2. Prohibits officers from deactivating their body-worn cameras or any in-car audio- or video-recording systems until the transport has fully concluded and custody has been transferred; and
 3. Otherwise complies with the standards set forth in 555 CMR 13.03(4)(1);
- (n) Include a sub-policy or provision concerning the transport of a detainee for an extended length that addresses:
1. The use of toilet facilities by the detainee, as needed; and
 2. The provision of water and meals to the detainee, as needed;
- (o) Include a sub-policy or provision concerning protocols and procedures in the event of a detainee escape, motor vehicle accident, or other emergency; and
- (p) Ensure that all officers are trained by the agency in detainee transportation in accordance with all applicable training requirements.

4b.



Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

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

From: Annie E. Lee, Counsel

Re: Law Enforcement Agency Certification Standards – Collection and Preservation of Evidence

Date: February 12, 2026

Under Massachusetts General Laws chapter 6E, section 5(b), the Massachusetts Peace Officer Standards and Training Commission (“Commission”) is directed to develop agency certification standards in at least eight areas, of which “collection and preservation of evidence” is one.

The standard regarding collection and preservation of evidence was first presented to the Commission during its November 2025 meeting. At that time, the Commission provided feedback, which resulted in proposed revisions.

Those proposed revisions are as follows:¹

- Owner Identification. Commissioners suggested that it would be beneficial for agencies to include, in documentation concerning evidence or property, the identity of the owner of such evidence or property. To that end, the revised draft suggests inserting the phrase “including, if ascertainable, the identification of the owner” into provisions relating to the initial packaging, sealing, and labeling of evidence; the packaging and labeling of evidence and property for storage; and information required to be recorded in the agency’s chain of custody log.

¹ The proposed revisions described in this memorandum do not include non-substantive revisions made to clarify or reorganize the standard, or to conform this standard with other standards that have been preliminarily approved by the Commission.

- Return of Evidence and Property. Commissioners also suggested that the standard would benefit from a provision that facilitates the return of evidence and property to its owner or their loved ones. The revised draft therefore proposes that (1) the section concerning the relinquishment, permanent release, or disposal of evidence and property be expanded to include the “return” of evidence and property; and (2) agencies be required to set forth a process for determining appropriate individuals who may receive returned or relinquished evidence and property.

The MPTC considered these proposed revisions during its January 2026 meeting and indicated that it did not have any feedback for the Commission. Therefore, this standard is presented to the Commission for preliminary approval in its draft form.

Recommendation: The Commission preliminarily approve the collection and preservation of evidence standard, as discussed and presented today, as a draft.

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
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- 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.

Chain of custody. Chain of custody as defined in 515 CMR 7.02.

Evidence. Evidence as defined in 515 CMR 7.02.

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

Property. Material that does not meet the criteria for evidence.

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]

- (9) Collection and preservation of evidence. An agency's collection and preservation of evidence policy shall:
 - (a) Ensure compliance with constitutional requirements consistent with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
 - (b) Set forth specific and comprehensive requirements and/or restrictions for the collection and preservation of specific types of evidence, including, but not limited to:
 - 1. Biological evidence;

2. DNA evidence;
3. Sexual assault evidence kits;
4. Biohazardous evidence;
5. Weapons and firearms;
6. Drugs and narcotics, controlled substances, and/or unidentified substances that may possibly be controlled substances;
7. Flammable or explosive evidence;
8. Cash;
9. Liquids;
10. Wet evidence;
11. Perishable evidence;
12. Clothing, fabrics, and fibers;
13. Documents;
14. Vehicles; and
15. Digital evidence;

that complies with any applicable law, rule, regulation, policy, or judicial or regulatory order, including M.G.L. c. 6A, §§ 18X and 18Y and 515 CMR 1.00 and 2.00;

- (c) Specify the types of evidence officers can collect and the related tasks officers should perform when collecting such evidence;
- (d) Specify the types of evidence that require collection by specialized personnel, the procedures for officers to request such specialized personnel, and the tasks officers should perform to preserve such evidence while awaiting such specialized personnel;
- (e) Include a sub-policy or provision concerning the collection and preservation of evidence:

Agency Certification Standards – Collection and Preservation of Evidence (DRAFT)

1. At the scene of an alleged or possible crime that sets forth comprehensive and specific requirements concerning:
 - a. The securing and protecting of the scene to prevent the loss of evidence;
 - b. The development of a plan to process and search the scene for evidence;
 - c. The documenting of the state of the scene prior to processing and searching the scene for evidence; and
 - d. The release of the scene;
2. Under exigent circumstances;
3. Pursuant to a consent search, which shall address the circumstances under which it is advisable to obtain consent prior to searching for, collecting, and preserving evidence;
4. Pursuant to a search warrant, which shall address the circumstances under which it is advisable to seek a search warrant prior to searching for, collecting, and preserving evidence; and
5. When working in conjunction with other law enforcement bodies and governmental entities, which shall set forth comprehensive and specific requirements concerning the management of collecting and preserving evidence:
 - (f) Set forth best practices concerning equipment that may be used to collect and preserve evidence;
 - (g) Set forth specific and comprehensive requirements concerning the packaging, sealing, and labeling of evidence, including, if ascertainable, the identification of the owner of the evidence;
 - (h) Direct officers to maintain any evidence and property in their possession, custody, or control until the evidence or property is transferred to another officer or an evidence custodian, or secured at a permissible storage space, area, or location;
 - (i) Include a sub-policy or provision concerning the transportation of evidence that:
 1. Directs the agency to transport evidence without undue delay;

2. Sets forth comprehensive and specific requirements to maintain the security and chain of custody of any evidence being transported, and prevent the cross-contamination of any such evidence; and
 3. Sets forth comprehensive and specific procedures for the accounting of any evidence being transported;
- (j) Include a sub-policy or provision concerning the transfer of evidence that sets forth specific and comprehensive requirements concerning:
1. The transfer of evidence in the field;
 2. The internal transfer of evidence;
 3. The temporary transfer of evidence; and
 4. The permanent transfer of evidence;
- (k) Include a sub-policy or provision concerning the storage and preservation of evidence and property that sets forth specific and comprehensive requirements and restrictions concerning:
1. Spaces, areas, and locations in which evidence and property may be stored;
 2. Spaces, areas, locations, and conditions in which evidence and property of a sensitive nature, such as DNA evidence; biohazardous evidence; weapons and firearms; drugs, narcotics, controlled substances, and/or unidentified substances that may possibly be controlled substances; flammable or explosive evidence; cash; and digital evidence, may be stored, taking into account factors such as atmospheric pressure, temperature, humidity, and potential for cross-contamination;
 3. The packaging and labeling of evidence and property for storage, including, if ascertainable, the identification of the owner of the evidence or property;
 4. The short-term storage of evidence and property;
 5. The long-term storage of evidence and property;
 6. Security measures and protocols for any spaces, areas, and locations in which evidence and property are stored, including the designation of an evidence custodian;

7. The routine inspection of any spaces, areas, and locations in which evidence and property are stored; and
8. The inventoring and accounting of any evidence and property that are stored;

that complies with any applicable law, rule, regulation, policy, or judicial or regulatory order, including M.G.L. c. 278A, § 16(a) and 515 CMR 7.00;

- (l) Include a sub-policy or provision concerning the submission of evidence to a forensic laboratory for analysis that complies with any applicable law, rule, regulation, policy, or judicial or regulatory order, including M.G.L. c. 41, §§ 97B, and 97B $\frac{1}{2}$ (b)(2);
- (m) Include a sub-policy or provision concerning the retention of evidence that complies with any applicable law, rule, regulation, policy, or judicial or regulatory order, including M.G.L. c. 278A, § 16(a); M.G.L. c. 41, §§ 97B, and 97B $\frac{1}{2}$ (b)(2); and 515 CMR 7.00;
- (n) Include a sub-policy or provision concerning the return, relinquishment, permanent release, or disposal of evidence and property that:
 1. Addresses the circumstances under which it is permissible to return, relinquish, permanently release, or dispose of evidence and property, considering:
 - a. The statute of limitations of any crime with which the evidence that the agency seeks to return, relinquish, permanently release, or dispose of is associated;
 - b. The status of any case with which the evidence that the agency seeks to return, relinquish, permanently release, or dispose of is associated;
 - c. Retention requirements, as set forth in the sub-policy or provision developed in accordance with the standards set forth in 555 CMR 13.03(9)(m); and
 - d. The process for determining appropriate individuals who may receive returned or relinquished evidence and property;
 2. Sets forth comprehensive and specific requirements concerning any required notification and authorization prior to the return, relinquishment, permanent release, or disposal of evidence,

- including with any other Commonwealth agencies or entities with responsibility for maintaining evidence;
3. Sets forth comprehensive and specific requirements concerning the documentation of the return, relinquishment, permanent release, or disposal of evidence and property, including the retention of any such documentation, that shall comply with the requirements of M.G.L. c. 4, § 7(26); M.G.L. c. 30, § 42; M.G.L. c. 66; M.G.L. c. 66A; 555 CMR 12.03(1)(d) and 12.03(3)(b); other associated regulations; and the Massachusetts Statewide Agency Records Retention Schedule or Municipal Records Retention Schedule, developed by the Secretary of the Commonwealth of Massachusetts, as applicable; and
 4. Sets forth comprehensive and specific procedures for the return, relinquishment, permanent release, or disposal of evidence and property of a sensitive nature, such as DNA evidence; biohazardous evidence; weapons and firearms; drugs, narcotics, controlled substances, and/or unidentified substances that may possibly be controlled substances; flammable or explosive evidence; cash; and digital evidence;
- (o) Include a sub-policy or provision concerning the maintenance of the chain of custody for evidence, which shall set forth comprehensive and specific requirements concerning:
1. Those responsible for entering information into and maintaining the agency's chain of custody log or equivalent, which shall include, but not be limited to:
 - a. The officer or authorized agency personnel who collected the evidence;
 - b. The officer or authorized agency personnel who most recently was in custody, possession, or control of the evidence; and
 - c. The officer or authorized agency personnel who is receiving custody, possession, or control of the evidence, such as an evidence custodian;
 2. The information required to be recorded in the agency's chain of custody log or equivalent, which shall include, but not be limited to:

Agency Certification Standards – Collection and Preservation of Evidence (DRAFT)

- a. A description of the evidence, including any available identifying marks or numbers;
 - b. If ascertainable, the identification of the owner of the evidence;
 - c. The identity of the officer or authorized agency personnel responsible for and/or involved in the most recent action necessitating an entry in the agency's chain of custody log or equivalent; and
 - d. The date, time, location, and reason for the most recent action necessitating an entry in the agency's chain of custody log or equivalent;
3. The points at which information is required to be recorded in the agency's chain of custody log or equivalent, which shall include, but not be limited to:
- a. Initial collection;
 - b. Transportation;
 - c. Transfer;
 - d. Storage;
 - e. Testing or analysis; and
 - f. Relinquishment, permanent release, or disposal;
- (p) Direct the agency to implement an evidence tracking system that allows the agency to:
1. Search for evidence; and
 2. Identify the current location of the evidence, including the specific location within the agency;
- (q) Include a sub-policy or provision concerning the internal auditing of evidence and property that sets forth specific and comprehensive requirements concerning the auditing of:
1. Any evidence and property that the agency is storing in accordance with the standards set forth in 555 CMR 13.03(9)(k);

Agency Certification Standards – Collection and Preservation of Evidence (DRAFT)

2. Any evidence and property that the agency is retaining in accordance with the standards set forth in 555 CMR 13.03(9)(m);
 3. The records of officers and authorized agency personnel who have access to spaces, areas, and locations in which evidence and property may be stored; and
 4. The chain of custody log or equivalent maintained in accordance with the standards set forth in 555 CMR 13.03(9)(o); and
- (r) Ensure that all officers are trained in collection and preservation of evidence in accordance with all applicable training requirements.

DRAFT

5a.



MODEL USE OF FORCE POLICY

February 2026



BACKGROUND - REGULATIONS

- POST & MPTC jointly promulgate rules and regulations for the Use of Force - M.G.L. c 6E § 15(d)
 - ✓ Collaborative Effort 550 CMR 6.00 and 555 CMR 6.00
- Regulations provide that agencies will jointly develop Model Use of Force Policy
- Statute requires POST to certify law enforcement agencies according to eight standards (including Use of Force)
 - ✓ March 2025 POST preliminarily approved standards concerning Use of Force



BACKGROUND – MODEL POLICY

- Model Use of Force Policy is the product of many hours of discussion between MPTC and POST.
- Review Team included Subject Matter Experts, Attorneys with decades of combined experience in Law Enforcement and Civil Rights, General Counsel and Executive Directors for both agencies.
- Input from other entities including ACLU, AG, MCOPA.
- Closely tracks 550 and 555 CMR 6.00, state and federal law on the use of force, accreditation standards and preliminarily approved agency certification standard on UOF.
- Model Policy will be put out for public comment.



STRUCTURE

- I. Purpose
- II. Policy
- III. Definitions
- IV. Procedures



PURPOSE

To establish guidelines and limitations concerning the use of force.



POLICY

1. Values and priorities
2. De-escalation and use of necessary, objectively reasonable, and proportionate force
3. Public interest in complying with the law



DEFINITIONS

- Agency
- Authorized Agency Personnel
- Authorized Weapons
- Chokehold
- Commission
- Deadly or Lethal Force
- De-escalation
- De-escalation Tactics
- Dog
- Electronic Control Weapon (ECW)/Conducted Energy Devices (CEDs)
- Excessive Force
- Firearm
- Force
- Harm
- Impact Weapons
- Kettling
- Kinetic Impact Device
- Law Enforcement Officer/Officer
- MPTC
- Non-Deadly or Less-Lethal Force
- Oleoresin Capsicum (OC) Spray
- Passive Resistance
- Serious Bodily Injury
- Tear Gas or Other Chemical Weapons
- Verbal Commands
- Use of Force Reporting Form



DEFINITIONS

- Agency
- Authorized Agency Personnel
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PROCEDURES

- A. General
- B. Use of Force Authorization and Limitations
- C. Verbal Warning
- D. Use of Non-Deadly or Less-Lethal Force
- E. Use of Deadly or Lethal Force
- F. Use of Force Restrictions
- G. Mass Demonstrations and Crowd Management
- H. Providing Medical Aid
- I. Duty to Intervene
- J. Response to Officer-Involved Injury or Death
- K. Weapons
- L. Maintenance and Accountability for Weapons
- M. Training and Qualifications
- N. Use of Force Reporting
- O. Reporting Procedures



PROCEDURES

A. General

1. Prioritizing safety of public, officers, and other individuals
2. Attempting to resolve encounters without force
3. Conscientiousness of non-criminal factors
4. De-escalation at all available and appropriate opportunities
5. Force to be necessary, proportionate, and objectively reasonable throughout an encounter



PROCEDURES

- B. Use of Force Authorization and Limitations
 - 1. Authorization conditions
 - 2. End of authorization
 - 3. No punishment, retaliation, torture, etc.
- C. Verbal Warning
- D. Use of Non-Deadly or Less-Lethal Force
 - 1. Non-deadly force conditions
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- F. Use of Force Restrictions
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4. Administrative review



Comments should be provided to

POSTC-comments@mass.gov

or

84 State Street, 2nd Floor

Boston, MA 02109

by

March 2, 2026

Policy Name:	Policy Number:	Pages:
Model Use of Force Policy		
Subject Area:	Reference/Notes	
	MPAC Accreditation standards: 1.1.1; 1.1.2; 1.1.3; 1.1.4; 1.1.5; 1.1.6; 1.1.7; 1.1.8; 1.1.9; 1.1.10; 1.1.11; 1.1.12; 1.1.13; 1.1.14 CALEA Accreditation Standards: 4.2.1; 4.2.2; 4.2.3; 4.2.4	
Effective Date:	Issuing Authority	
Scheduled Reevaluation Date:	Previously Issued Dates:	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This general order should not be construed as creation of a higher legal standard of safety or care in any evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

I. PURPOSE

To establish [insert agency name] guidelines and limitations concerning the use of force.

II. POLICY

1. The [insert agency name] values the sanctity of life and bodily integrity of all individuals. The [insert agency name] prioritizes the dignified and respectful treatment of all members of the public, as well as the safety of officers. In accordance with these principles, the [insert agency name] and its officers shall implement this policy and sub-policies in a manner that is fair and unbiased.
2. Officers shall seek to de-escalate and gain the voluntary compliance of individuals at all safe and feasible opportunities. If force is warranted, officers shall use only the amount of force that is necessary and objectively reasonable to accomplish lawful objectives and proportionate to the resistance or threat encountered.
3. There is a compelling public interest that officers' use of force complies with the law. Officers who use excessive force degrade the confidence of the community that they serve, undermine the legitimacy of a police officer's authority, and hinder the agency's ability to provide effective law enforcement services to the community. Accordingly, officers who use excessive force may be subject to the following consequences:
 - a. Agency discipline, up to and including termination;
 - b. Action on their certification by the Massachusetts Peace Officer Standards and Training Commission, up to and including decertification;
 - c. Criminal prosecution; and/or

d. Civil liability.

III. DEFINITIONS

Agency: the [insert agency name].

Authorized Agency Personnel: Agency personnel, both sworn and non-sworn, who are authorized by the agency to possess, carry, and use agency-approved weapons or force.

Authorized Weapons: Weapons that meet agency specifications that officers or authorized agency personnel are permitted to carry and for which officers or authorized agency personnel have successfully completed proficiency and safety training.

Chokehold: As defined in M.G.L. c. 6E, § 1 and 555 CMR 6.03, the use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of a law enforcement officer's body on or around an individual's neck in a manner that limits the individual's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness, or death.

Commission: The Massachusetts Peace Officer Standards and Training Commission as established in M.G.L. c. 6E, § 2.

Deadly or Lethal Force: As defined in M.G.L. c. 6E, § 1 and 555 CMR 6.03, physical force that can reasonably be expected to cause death or serious bodily injury.

De-escalation: Proactive actions and approaches used by an officer to slow down, stabilize, and reduce the intensity of an encounter in an attempt to avoid or mitigate the need to use force and to avoid or reduce threats, gain the voluntary compliance of the individual involved in the encounter, and safely resolve the encounter without further jeopardizing the safety of the officer or any individual present or involved in the encounter.

De-escalation Tactics: As defined in M.G.L. c. 6E, § 1 and 555 CMR 6.03, proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of an incident, waiting out a person, and requesting additional resources to resolve the incident including, but not limited to, calling in medical or licensed mental health professionals, as defined in M.G.L. c. 111, § 51½(a), to address a potential medical or mental health crisis. De-escalation tactics shall include, but are not limited to, issuing a summons instead of executing an arrest where feasible. De-escalation tactics include the use of critical thinking skills to evaluate options and tactics consistent with 555 CMR 6.00 and the Commission's guidance entitled *Developmentally Appropriate De-escalation and Disengagement Tactics, Techniques and Procedures and Other Alternatives to the Use of Force for Minor Children* (2021).

Dog: As defined in 555 CMR 6.03, a K-9, canine or police dog.

Electronic Control Weapon (ECW)/Conducted Energy Devices (CEDs): As defined in 555 CMR 6.03, a portable device or weapon, regardless of whether it passes an electrical shock by means of a dart or projectile via a wire lead, from which an electrical current, impulse, wave, or beam is emitted that is designed to incapacitate temporarily by causing neuromuscular incapacitation or pain so that an officer can regain and maintain control of the individual. For purposes of this policy, “ECW” shall also mean a “stun gun” as that term is defined in M.G.L. c. 140, § 121.

Excessive Force: Force that is not necessary, proportionate or objectively reasonable.

Firearm: As defined in M.G.L. c. 140, § 121, a stun gun, pistol, revolver, rifle, shotgun, sawed-off shotgun, large capacity firearm, assault-style firearm and machine gun, loaded or unloaded, which is designed to or may readily be converted to expel a shot or bullet; the frame or receiver of any such firearm or the unfinished frame or receiver of any such firearm; provided, however, that “firearm” shall not include any antique firearm or permanently inoperable firearm.

Force: As defined in 555 CMR 6.03, the amount of physical effort, however slight, required by police to compel compliance by an unwilling individual. For purposes of this policy, “force” includes:

1. Any physical strike or attempted strike;
2. Any intentional contact with an individual through the use of a weapon (e.g., baton, OC, ECW, chemical weapon, kinetic impact device);
3. Any significant physical contact that restricts movement (e.g., takedown, hard empty-hand techniques, chokeholds);
4. Pointing a firearm, ECW, or chemical weapon at an individual; and
5. Deployment of a police dog resulting in contact.

“Force” does not include physically escorting or handcuffing an individual who offers minimal or no resistance.

Harm: Injury inflicted upon an individual, whether visible or not.

Impact Weapons: Agency-approved tools designed to assist officers in gaining and maintaining control of an individual when empty-hand control techniques are insufficient.

Kettling: As defined in 555 CMR 6.03, confinement or corralling by law enforcement of a group of demonstrators or protesters in a small area without any means of egress as a method of crowd control, management, or restraint.

Kinetic Impact Device: Less-lethal projectile-based tools designed to assist officers in gaining and maintaining control of an individual when empty-hand control techniques are insufficient.

Law Enforcement Officer/Officer: As defined in M.G.L. c. 6E, § 1 and 555 CMR 6.03, a sworn member of the agency, including the Chief Executive Officer.

MPTC: Municipal Police Training Committee established in M.G.L. c. 6, § 116.

Non-Deadly or Less-Lethal Force: As defined in 555 CMR 6.03, any use of force other than that which is considered deadly force that involves physical effort to control, restrain, or overcome the resistance of another.

Oleoresin Capsicum (OC) Spray: An inflammatory agent that irritates the mucus membranes and eyes to cause tears and pain.

Passive Resistance: As defined in 555 CMR 6.03, an individual who is noncompliant with officer commands and who is nonviolent and does not pose an immediate threat to the officer or the public.

Serious Bodily Injury: As defined in M.G.L. c. 6E, § 1 and 555 CMR 6.03, bodily injury that results in:

1. Permanent disfigurement;
2. Protracted loss or impairment of a bodily function, limb, or organ; or
3. A substantial risk of death.

Tear Gas or Other Chemical Weapons (CW): As defined in 555 CMR 6.03, any weapon that contains chemical compounds that temporarily make people unable to function by causing irritation to the eyes, mouth, throat, lungs, and skin, or that otherwise restrain an individual by causing pain. This shall not include oleoresin capsicum (OC) spray.

Verbal Commands: The use of advice, persuasion, warnings, and/or clear directions prior to resorting to or concurrent with the use of actual physical force.

Use of Force Reporting Form: A form that has been approved by the Commission and the MPTC or a form approved by the Chief Executive Officer that collects at a minimum the information collected on the form approved by the Commission and the MPTC.

IV. PROCEDURES

The use of force is authorized only when it is necessary, proportionate, objectively reasonable and for a lawful purpose.

The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the individual, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of

hindsight. The calculus of reasonableness must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain, and dynamic and rapidly evolving about the amount of force that is necessary, proportionate and objectively reasonable in a particular situation. The reasonableness inquiry in an excessive-force case is an objective one: whether the officers' actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

Accordingly, the agency will thoroughly document, review, and investigate all uses of force by officers to assure compliance with all legal requirements and this policy.

A. General

1. Whenever officers are involved in an encounter with an individual, officers shall prioritize the safety of members of the public, officers, and any other individual(s) involved, throughout the entirety of the encounter.
2. Whenever possible, officers shall attempt to resolve encounters without resorting to force. Officers shall not intentionally employ tactics that are likely to necessitate the need for force or escalate the level of force necessary to resolve an encounter.
3. When officers come in contact with members of the public, they are encouraged to be conscious of non-criminal factors that could impact that interaction. Such factors include, but are not limited to, an individual's 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. Factors such as these may affect an individual's ability to understand, respond to, and comply with an officer's commands, such that an officer should consider modifying their de-escalation tactics and techniques.
4. When time and circumstances reasonably permit, officers shall attempt to de-escalate an encounter at all available and appropriate opportunities, including by assessing and gathering information before an officer arrives on scene, before the escalation of the use of force, throughout an encounter, and until the conclusion of an encounter.
5. When time and circumstances reasonably permit, officers shall utilize advisements, warnings, verbal persuasion, verbal instructions, and other de-escalation tactics such as area containment, surveillance, waiting out an individual, summoning reinforcements, creating time and distance, summoning a [insert different response model available to agency e.g., co-response, alternative response, peer response, crisis intervention team, etc.], seeking assistance from a mental health professional, and/or calling in specialized units in order to reduce the need for force and increase safety. Officers shall document when such efforts were attempted or were not feasible.

6. Any force used shall be necessary, proportionate, and objectively reasonable in relation to the level of resistance encountered, whether increasing or decreasing, throughout an encounter.

B. Use of Force Authorization and Limitations

1. Officers are only authorized to use the amount of force that is necessary, proportionate, and objectively reasonable to accomplish lawful objectives.
2. An officer shall not use force upon another person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary and proportionate to:
 - a. Effect the lawful arrest or detention of an individual;
 - b. Prevent the escape of an individual from custody;
 - c. Prevent imminent harm through the use of an amount of force that is proportionate to the threat of imminent harm while protecting the safety of the officer or others; or
 - d. Defend against an individual who initiates force against an officer.
3. The authorized use of force ends when resistance ceases or the officer has accomplished the lawful objective necessitating the use of force. The officer's justification for the use of force must be based on the totality of the circumstances known or perceived by the officer at the time such force is used, including levels of resistance, the subject's behavioral cues, the number of officers and/or individuals present, and the availability of other options.
4. Force shall never be used as punishment or retaliation, or to subject an individual to torture or other cruel, inhumane, or degrading treatment.

C. Verbal Warning

When tactically feasible, officers will identify themselves as [police, law enforcement] and issue verbal commands or warnings before using force. When time and circumstances reasonably permit, officers will allow the individual a reasonable opportunity to comply with verbal commands before resorting to force. A verbal warning is not required where the officer must make a split-second decision or if the officer has an objectively reasonable belief that issuing the warning would place any individual's safety at risk. Officers shall document when such efforts were attempted or were not feasible.

D. Use of Non-Deadly or Less-Lethal Force

1. Officers shall use only the amount of force necessary, proportionate, and objectively reasonable to overcome resistance or accomplish the lawful police objective. Non-

deadly force shall conform to the agency's standard of conduct, policies, procedures, and training.

2. An officer shall use only the amount of force necessary, proportionate, and objectively reasonable against an individual who is engaged in passive resistance to effect the lawful arrest or detention of said individual and shall use de-escalation tactics where feasible.
3. Physically escorting or handcuffing an individual who offers minimal or no resistance does not constitute a use of force.
4. Use of force does include the pointing of a firearm, ECW, CED, or chemical weapon at an individual and the use of OC spray on or directed toward an individual.
5. Impact weapons and kinetic impact devices may be used as a non-deadly force option when applied to appropriate target areas, but may also constitute deadly force if applied in a manner or to a part of the body likely to cause death or serious bodily injury.

E. Use of Deadly or Lethal Force

1. A law enforcement officer shall not use deadly force upon a person, unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to prevent imminent harm to an individual and the amount of force used is proportionate to the threat of imminent harm, and
 - a. The imminent harm poses an imminent danger of death or serious bodily injury to the officer or another individual;
 - b. The officer attempts as many de-escalation tactics that are feasible under the circumstances, including utilizing barriers where feasible; and
 - c. The officer uses only the amount of force that is objectively reasonable.

2. Unconventional Weapons

In sudden, unpredictable confrontations where deadly force would be authorized, an officer may use any available means (e.g., flashlight, radio, or other equipment) to defend themselves or others, provided the level of force is objectively reasonable under the circumstances.

3. Deadly Force Restrictions

a. Immediacy of the Threat Required

An officer shall not use deadly force at any point in time when there is no longer an objectively reasonable belief that an individual currently and actively poses an immediate threat of serious bodily harm or death, even if deadly force would have been justified at an earlier point in time.

b. Suicidal Individuals

An officer may not use deadly force against an individual who poses a danger only to themselves.

F. Use of Force Restrictions

1. Sitting, Kneeling, or Standing on An Individual

Except to temporarily gain, regain or maintain control of an individual and apply restraints, an officer shall not intentionally sit, kneel, or stand on an individual's chest or spine and shall not force an individual to lie on their stomach. In no event may an officer intentionally sit, kneel, or stand on an individual's neck or head.

2. Oxygen and Blood Flow

An officer shall not obstruct the airway or limit the breathing of any individual, nor shall an officer restrict oxygen or blood flow to an individual's head or neck. An individual placed on their stomach during restraint should be moved into a recovery position or seated position as soon as practicable.

3. Restrained Individuals

Force shall not be used against individuals in handcuffs unless it is objectively reasonable, necessary, and proportionate to prevent imminent harm to the officer or another individual, to prevent escape, to ensure safety, or to overcome passive resistance where physical removal is necessary.

4. Chokeholds

Officers shall not use a chokehold or other tactics that restrict or obstruct an individual's breathing or oxygen or blood flow to an individual's head or neck.

G. Mass Demonstrations and Crowd Management

1. It is the policy of this agency to respect the constitutional rights of individuals engaged in lawful demonstrations, to avoid unnecessary conflict, and to attempt to de-escalate potential conflicts whenever feasible.

2. Pre-Planning

When the agency has advance knowledge of a planned mass demonstration within the agency's jurisdiction, the Chief Executive Officer shall designate an officer in charge of de-escalation planning and communication. The designated officer in charge shall diligently attempt in good faith to:

- a. Communicate with organizers of the event before the event occurs in an effort to establish reliable channels of communication between officers and event participants; and
- b. Discuss and establish logistical plans to avoid or, if necessary, to de-escalate potential or actual conflict between law enforcement officers and mass demonstration participants and ensure that participants are able to safely exercise their rights under the First Amendment and the Massachusetts Declaration of Rights.

3. Use of Weapons and Canines

When engaged in mass demonstration events, officers shall not discharge or order the discharge of tear gas or any other chemical weapon, discharge or order the discharge of a kinetic impact device or rubber pellets from a propulsion device, or order the release of a dog to control or influence an individual's behavior unless:

- a. De-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances;
- b. The measures used are necessary to prevent imminent harm; and
- c. The foreseeable harm inflicted by the tear gas or the chemical weapon, kinetic impact device, rubber pellets, or dog is proportionate to the threat of imminent harm.

4. Restrictions

- a. Canines

Canines shall not be utilized for crowd control, restraint, or management of peaceful demonstrations, but may be deployed for crowd control, restraint, or management of peaceful demonstrations in isolated circumstances related to bomb detection, pursuit of suspects in buildings, and related situations. Utilization does not include circumstances in which the canine remains on a short lead in close proximity to the handler and is well behind the line of contact between law enforcement and civilians.

b. Kettling

The use of kettling as a means of crowd control, crowd management, or crowd restraint is prohibited.

H. Providing Medical Aid

1. Officers shall always provide an appropriate medical response to an individual following a use of deadly force when safe and tactically feasible.
2. Officers shall always provide an appropriate medical response to individuals who are exhibiting signs of or complaining of injury or illness following a non-deadly use of force when safe and tactically feasible. This includes rendering first aid consistent with their annual in-service training, requesting emergency medical services, arranging transportation to a hospital or emergency medical facility, and monitoring the individual until transfer of care.
3. Officers shall be trained in the proper treatment procedures for individuals exposed to chemical sprays, electronic control weapons, kinetic impact devices, and other less-lethal force options. If treatment is offered and refused, the refusal shall be documented. Officers shall notify their supervisor as soon as practical of treatment rendered or refused. If warranted, the supervisor will ensure photographs of any visible injuries are taken, documented, and preserved.

I. Duty to Intervene

1. An officer present and observing another officer using or attempting to use force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances shall intervene to prevent the observed officer's use of unnecessary or unreasonable force, regardless of the rank of the officer so observed, unless intervening would result in imminent harm to the observing officer or another identifiable individual.
2. The failure of an officer to intervene as required by 555 CMR 6.06 and this policy may subject the officer to discipline, up to and including termination, and potential action upon their certification by the Commission, up to and including decertification.

3. Officers and other agency personnel who observe an officer or other agency personnel engaged in abuse, meaning excessive force, shall report such abuse to their supervisor or other appropriate supervisor.
4. Any harassment, intimidation, or retaliation against any officer or other agency personnel who:
 - a. Intervened or attempted to intervene to prevent or stop an excessive force incident;
 - b. Made, attempted to make, or is required to make a report regarding the witnessed excessive force incident; or
 - c. Provided information or testimony to any investigating entity inside or outside the agency

is prohibited.

Any such action may result in discipline, up to and including termination, and potential action upon their certification by the Commission, up to and including decertification.

J. Response to Officer-Involved Injury or Death

1. Whenever an officer either uses force that results in death or serious bodily injury or discharges a firearm at or in the direction of an individual, the [insert title/rank of designated role] shall immediately notify the Chief Executive Officer or their designee. The officer involved shall be removed from operational assignments pending administrative and potential criminal review. The incident will be investigated by the Chief Executive Officer or their designee.
2. If the use of force involved a weapon, the Chief Executive Officer [or insert designee] shall secure the weapon or weapons used for examination and maintain the appropriate evidentiary chain of custody protocols.
3. Any use of force that results in death or serious bodily injury shall be reported to the District Attorney's Office.

K. Weapons

1. Officers in Massachusetts are authorized to carry and use a variety of weapons. M.G.L. c. 41, § 98, for example, permits officers to carry weapons as authorized by the Chief Executive Officer of the agency. While no law addresses the possession and use of other weapons by officers, the Chief Executive Officer of the agency may both authorize and regulate such activities.

2. Only authorized agency personnel may carry or use weapons in the performance of their designated duties. Authorization must be documented and approved by the Chief Executive Officer or their designee. Authorization is contingent upon successful completion of all training, certification, and proficiency requirements. The Chief Executive Officer may revoke or suspend authorization at any time.
3. Only weapons and ammunition authorized by the agency may be used by authorized agency personnel in the performance of their designated duties.
4. Sworn Officers

Officers are authorized to carry and use the following weapon(s) in the performance of their duties, subject to this Use of Force policy and applicable restrictions:

- a. Firearms (pursuant to M.G.L. c. 41, § 98);
 - b. [for each weapon officers are authorized to carry and use, including lethal and less-lethal, list the weapon, the legal authority to carry the weapon; and any restrictions on the use of the weapon not previously addressed in the use of force policy]
5. Non-sworn agency personnel [if applicable]
 - a. Non-sworn agency personnel may be authorized to carry specified weapons when expressly approved by the Chief Executive Officer and consistent with applicable law. Non-sworn agency personnel authorized to carry weapons must adhere to all provisions of this Use of Force policy as if they were sworn officers, including training, certification, and reporting requirements.
 - b. The following non-sworn agency positions are authorized to carry the weapons listed:
 - i. [Insert position title]: A [insert position title] is authorized to carry the following weapons:
 - A. [for each weapon the position is authorized to carry and use, including lethal and less-lethal, list the weapon, the legal authority to carry the weapon, and any restrictions on the use of the weapon not previously addressed in the use of force policy.]

6. Security, Storage, and Safe Handling of Weapons

- a. Authorized agency personnel shall be trained in accordance with agency guidelines and shall obey all safety rules when handling any firearm or any other weapon. No person other than authorized agency personnel shall be permitted access to any agency-owned firearm or any other agency-owned weapon, with the exception of: police officers from other jurisdictions in the official performance of their duties; licensed individuals performing repairs or maintenance as approved by the agency; or other circumstances with the express permission of the Chief Executive Officer.
- b. Authorized agency personnel shall secure and store firearms and other weapons, both on and off duty, in such a way as to ensure that no unauthorized person will have access to or gain control over the firearm or weapon. All agency firearms kept at home must be secured in a safe place inaccessible to family members and others, especially children, and conform with the requirements of M.G.L c. 140, § 131L.
- c. Whenever an authorized agency personnel is at an agency facility and removes their handgun or other weapon, the item must be secured so that it is not readily accessible to unauthorized individuals.
- d. Authorized agency personnel shall not leave firearms or other weapons unsecured in vehicles, lockers, offices, or any other place where unauthorized access may occur.
- e. Any loss or theft of a firearm or other agency weapon shall be immediately reported to the authorized agency personnel's supervisor.

7. Weapons Restrictions

a. Warning Shots Prohibited

Officers are prohibited from discharging their firearms as a means of warning, intimidating, or frightening an individual.

b. Pointing Weapons

- i. Officers are prohibited from pointing their firearms at or in the direction of an individual absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this policy.

- ii. Pointing a firearm or ECW/CED may be reasonable as a control measure when a threat is perceived, even if deadly force is not ultimately used.
- iii. When an officer determines that the use of deadly force is no longer justified, they shall secure or holster their firearm as soon as safe and practicable.
- iv. Pointing a firearm or an ECW/CED at an individual and using OC spray on an individual or directed toward an individual are considered uses of force. Officers shall document in their report when a firearm or ECW/CED is pointed at or when OC spray is used on an individual and explain the justification.

c. Surroundings

Before discharging a firearm, ECW/CED, or other weapon, the officer shall, to the extent feasible, consider their surroundings and potential risks to other individuals before doing so.

d. Discharging Firearms into Moving Motor Vehicles

An officer shall not discharge any firearm into or at a moving motor vehicle unless, based on the totality of the circumstances, including the risk of safety to other persons in the area, such discharge is objectively reasonable, necessary to prevent imminent harm to an individual, and proportionate to the threat of imminent harm; and only if the following conditions exist:

- i. An individual in the vehicle is threatening the officer or another individual with deadly force by means other than the vehicle; or the vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted or are not present or practical, including moving out of the path of the vehicle;
- ii. Officers have not intentionally positioned themselves in such a way as to create a likelihood of being struck by an occupied vehicle (e.g., surrounding a vehicle at close proximity while dismounted);
- iii. The officer is not firing strictly to disable the vehicle; and
- iv. The circumstances provide a high probability of stopping or striking the intended target.

e. Use of Weapons Against Animals

- i. Officers may use force, including deadly force, against an animal that represents an imminent threat of death or serious bodily injury to the officer

or to the public. When time and circumstances reasonably permit, officers should consider utilizing less-lethal force in such circumstances. Whenever possible, officers should seek authorization from their supervisor prior to using deadly force.

- ii. Deadly force may also be used as a humanitarian measure when an animal is seriously injured or seriously ill and humaneness demands an immediate end to its suffering. Prior to the use of such force, officers should seek the authorization of their supervisor and, in the case of a domesticated animal, authorization from the animal's owner whenever practical. Whenever deadly force is used against an animal, officers shall notify a supervisor and document the incident.

f. Use of Agency Weapons for Training and Other Purposes

Officers may discharge their agency-authorized firearms for the purpose of practice, firearms training, or when authorized by the Chief Executive Officer to participate in law enforcement competition events or ceremonial events.

g. Use of Firearms or Weapons While Under the Influence of Alcohol and/or Controlled Substances Prohibited

Officers shall not carry or use any firearms or weapons on- or off-duty while consuming or under the influence of alcohol or controlled substances. Officers shall not carry or use any firearms or weapons on- or off-duty while impaired by any condition (medical or otherwise) that negatively impacts judgment, motor skills, or proficiency.

L. Maintenance and Accountability for Weapons

1. The [insert designated agency position responsible for armorer duties] shall maintain a list of all authorized weapons and ammunition that shall be made available to officers and authorized agency personnel. The [insert designated agency position responsible for armorer duties] shall also maintain inventory reports for all weapons authorized by the agency and update inventories at least annually to include the location of all firearms [list other weapons to be inventoried as needed].
2. The [insert designated agency position responsible for armorer duties] shall maintain a record on each weapon, lethal and less-lethal, authorized for use by the agency. Such record shall include:
 - a. Serial number, if applicable;
 - b. Weapon description;
 - c. Date of issuance;

- d. Officer receiving weapon;
 - e. Maintenance/repair information;
 - f. Date removed from service and reason; and
 - g. Other information as required by the Chief Executive Officer or designee.
3. All weapons shall be inspected by a qualified armorer or weapons instructor for proper functionality prior to issuance to an officer. Weapons failing inspection shall not be issued and shall be repaired or replaced before use.
 4. At each training session for lethal or less-lethal weapons, the [insert designated agency position responsible for armorer duties] or instructor shall conduct an inspection of all weapons assigned to each officer present and confirm that:
 - a. The weapons are properly assigned to the officer carrying the weapon.
 - b. That the weapons (lethal and less-lethal) are in working order; and
 - c. That inventory records accurately reflect weapons assigned to individual officers.
 5. The procedures listed above shall also apply to any weapons, lethal and less-lethal, authorized by the agency for off-duty carry.
 6. Whenever an authorized weapon is found to be unsafe or not functioning properly, it shall be immediately turned in or taken out of service by the officer. The [insert designated agency position responsible for armorer duties] shall maintain an inventory of replacement firearms and ensure that such firearms are available for issuance when needed.
 7. The [insert designated agency position responsible for armorer duties] shall ensure that all agency weapons held in storage are secured to prevent damage, theft, or improper issuance. An access log shall be maintained for all entries into weapon storage areas.

M. Training and Qualifications

1. In addition to annual firearms qualification and skills training required by the MPTC and this agency's Firearms Policy XXX, officers shall be properly trained and certified in the use of any less-lethal weapons and control techniques before being authorized to carry or use them. Officers shall only carry and use weapons and control techniques for which they have received agency-authorized training and which are issued and/or approved by the agency.
2. As part of annual in-service training, all officers shall receive training on this agency's use of force policies, reporting requirements, and relevant case law updates.

3. All officers shall complete annual training on all lethal and less-lethal weapons that require annual proficiency training, including ECWs.
4. Weapons without an annual training requirement (e.g., impact weapons, kinetic impact devices, OC spray) shall require requalification at least every two years under a certified instructor.
5. All officers shall receive annual agency-authorized use of force training designed to simulate actual conditions, including stressful and rapidly evolving situations, to strengthen discretion, judgment, and application of de-escalation tactics. Training shall also cover the topics required by 555 CMR 6.10, including de-escalation, mental health response, responding to mass gatherings, cultural competency, progression of force, and lawful use of force techniques.
6. All training, including remedial training, shall be documented in agency training files.
7. Training and proficiency results for any authorized weapon shall be monitored by an MPTC-certified weapons instructor and documented in the agency training files by the Chief Executive Officer or their designee. Documentation for sworn officers shall also be uploaded into the MPTC Acadis system by the Chief Executive Officer or their designee. Sworn officers must demonstrate proficiency with weapons in compliance with MPTC requirements.
8. Officers who fail to demonstrate the required proficiency with agency-issued weapons shall receive remedial training consistent with MPTC standards and relevant agency policy.
9. Any officer who fails to demonstrate proficiency with a weapon shall not return to duty with that weapon until such time as proficiency is demonstrated and documented.
10. Officers who seek to return to duty after an interruption in service shall first comply with all requirements set forth in 550 CMR 3.04 prior to being authorized to perform police duties and functions.
11. Only officers demonstrating proficiency in the use of agency-authorized weapons shall be approved to carry such weapons.
13. All officers, including newly hired and veteran officers being issued a new type of weapon, shall be issued applicable policies and receive proficiency training on the weapons prior to being authorized to carry such weapons. The issuance, policy receipt, and training shall be documented.

N. Use of Force Reporting

1. Any officer who uses force shall complete the Use of Force Reporting Form. Reports shall be completed by the end of the officer's shift/tour of duty unless an extension of time is granted by a supervisor not directly involved in the incident.
2. [Discretionary for Agency under 555 CMR 6.07(3): Discharge of a firearm during training, qualification exercises, or for recreational purposes does not need to be reported.]
3. Physically escorting or handcuffing an individual who offers minimal or no resistance does not constitute a use of force and does not need to be reported.
4. The pointing of a firearm, ECW, CED, or CW at an individual and the use of OC spray on an individual or directed toward an individual is a use of force that must be reported. Any accidental discharge of a firearm, or any action that results in or is alleged to have resulted in injury or death shall be reported.
5. The agency shall report the following incidents to the National Use of Force Data Collection Database:
 - a. When an officer's actions result in death or serious bodily injury of an individual;
or
 - b. When an officer discharges a firearm at or in the direction of an individual.
6. Any officer who has a duty to intervene or observes an officer or other agency personnel engaged in abuse (see Section I) shall report the incident to an appropriate supervisor as soon as reasonably possible, but not later than the end of the officer's shift/tour of duty unless an extension of time is granted by that supervisor.
7. Any harassment, intimidation, or retaliation against any officer or other agency personnel related to a duty to intervene under Section I shall be reported immediately to an appropriate supervisor.
8. The agency shall file a report with the Commission when any officer utilizes or orders the use of kinetic impact devices, rubber bullets, ECWs/CEDs, chemical weapons, or a dog against a crowd.
9. Any officer who knowingly makes an untruthful statement concerning a material fact or knowingly omits a material fact from a Use of Force Reporting Form may be subject to discipline, up to and including termination, and potential action upon their certification by the Commission, up to and including decertification.

10. The agency shall report the following incidents to POST:

- a. Officer-involved injuries or death;
- b. Excessive force;
- c. Untruthful statements concerning a material fact regarding a use of force;
- d. Knowing omission of a material fact regarding a use of force; or
- e. Any harassment, retaliation, or intimidation of an individual related to a use of force.

11. All Use of Force Reporting Forms shall be retained and maintained by the agency consistent with 555 CMR 12 for [insert length of time consistent with 555 CMR 12]. [For public agencies include the following language: and are subject to discovery and access through the Massachusetts Public Records Law M.G.L. c. 66.]

12. Records and evidence concerning the use of force and complaints shall be maintained consistent with the requirements of 555 CMR 6.07(8) and 12.04(1)(f).

O. Reporting Procedures

1. The agency shall establish a use of force reporting system that allows for the effective review and analysis of all agency use of force incidents. The reporting system shall be designed to help identify trends, improve training and officer safety, and provide timely and accurate information to the agency. Officers shall complete the appropriate reports and the Use of Force Reporting Form whenever they use force, whether deadly or non-deadly.

2. Officer's Responsibilities

- a. When an officer uses force for any law enforcement purpose, whether on duty or off duty, the officer shall:
 - i. Notify a supervisor of the incident as soon as circumstances allow.
 - ii. Complete the Use of Force Reporting Form, which shall list all other officers or employees involved in or witnessing the incident.
 - iii. All Use of Force Reporting Forms must be completed and forwarded to a supervisor not directly involved in the incident by the end of the officer's shift/tour of duty unless an extension of time is granted by that supervisor.
- b. Any officer who has a duty to intervene or observes an officer or other agency personnel engaged in abuse (see Section I) shall report the incident to an appropriate supervisor as soon as reasonably possible but not later than the end

of the officer's shift. The officer shall prepare a detailed written statement describing the incident consistent with agency reporting protocols.

- c. Any officer who utilizes or orders the use of kinetic impact devices, rubber bullets, ECWs/CEDs, chemical weapons, or a dog against a crowd shall write a report detailing the facts and circumstances surrounding the use of force. including a detailed justification of why the use of said weapons was objectively reasonable.

3. Supervisor Not Directly Involved in the Use of Force Incident Responsibilities

- a. When a use of force incident involves an officer assigned to patrol, a supervisor not directly involved in the use of force incident or [insert position] has the primary responsibility to make certain that all necessary Use of Force Reporting Forms are properly completed evidence in the custody of law enforcement is preserved and the report is submitted as required by officers under their command.
- b. The supervisor who performs the initial review of the reporting forms shall identify and report any clear instances of violations of law or agency policy that necessitates immediate action by the reviewing supervisor, including actions related to the officer's fitness for duty or duty status, to [insert the appropriate chain of command level for notification].
- c. The supervisor shall sign the report and forward it to the Chief Executive Officer of the agency or their designees.
- d. If the use of force involves an officer who did not report to a Patrol Supervisor at that time, the officer's Unit Supervisor shall complete the steps as required in the preceding subsections. Supervisors involved in a use of force incident shall forward the Use of Force Reporting Form to the next level of command not involved in the incident.
- e. In any use of force or incident resulting in death or serious bodily injury, or any firearm discharge at or in the direction of an individual, the on-duty supervisor shall immediately notify the Chief Executive Officer through the chain of command. The officer involved shall be removed from operational assignments pending administrative and potential criminal review.
- f. When an officer reports pursuant to a duty to intervene (see Section I), the on-duty supervisor shall prepare a report and include the observing officer(s)'s detailed written statement describing the incident in that report.

4. Office of the Chief Executive Officer or their Designee for Administrative Review

- a. The [insert agency designee] shall review the Use of Force Reporting Form in a timely fashion not to exceed [a timeline determined by the agency] to determine:
 - i. Whether the action was consistent with policy, training, and law;
 - ii. Whether further administrative review or investigation is warranted;
 - iii. Whether equipment, training, or policy changes should be considered;
 - iv. Whether a referral to the District Attorney's Office is appropriate;
 - v. Whether the incident is required to be reported to the National Use of Force Data Collection Database (see Section N); and
 - vi. Whether the incident is required to be reported to the Commission (see Section N).
- b. The Chief Executive Officer or their designee for administrative review may confer with instructors, trainers, or other qualified individuals who specialize in the field of force used as needed. The Chief Executive Officer shall be informed about any incident that may not be consistent with policy and procedure or indicates the action warrants further administrative review/investigation.
- c. Use of force reports that warrant further administrative review or investigation shall be referred to the [insert Chief Executive Officer or the agency position responsible for internal affairs function]. Such review should include, but not be limited to, determining whether the use of force was consistent with this policy and training, as well as officer and public safety. The [insert Chief Executive Officer or the agency position responsible for internal affairs functions] shall be responsible for the prompt investigation of the matter including the collecting and preserving of evidence consistent with the requirements specified in 555 CMR 13.03(8) and the recommendation of discipline, if appropriate.
- d. Administrative reviews shall identify officer actions that mitigated or escalated encounters and evaluate whether different actions could have reduced the likelihood of force or injury.
- e. The [insert agency designee] shall conduct, at a minimum, annual analyses of all "Use of Force" incidents and complaints and provide a comprehensive report to the Chief Executive Officer. This report, at a minimum, shall document:
 - i. Trends in use of force over time;
 - ii. Identification of officers who are involved in a disproportionate share of use of force reports and complaints, for the purpose of determining whether intervention would be beneficial to improving the officer's use of force behavior and practices, and intervening to improve the officer's use of force behavior and practices when that is determined to be the case;
 - iii. Recommendations on equipment, training, and/or policy changes, if any;
 - iv. The date, time, and circumstances of incidents;

- v. The type of force or type of weapons used;
 - vi. Types of encounters resulting in use of force;
 - vii. The race, age, gender, and any known or perceived mental or physical disability of individuals involved;
 - viii. Injuries to individuals, officers, or others; and
 - ix. Identification of trends or patterns contributing to injury.
- f. For purposes of transparency, the [insert agency designee] shall publish an annual public summary of use of force reports and complaints. The summary shall be made available on the agency's website and at the agency for inspection.
- g. The agency shall provide records and evidence concerning use of force reports and complaints in accordance with any applicable law, rule, regulation, policy, judicial or regulatory order, subpoena, or civil investigative demand of a governmental entity. [For public agencies include the following language: and upon receipt of a public record request under M.G.L. c. 66, § 10.]

DRAFT

6a.



Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

MEMORANDUM

TO: Commissioners of the Massachusetts POST Commission
FROM: Enrique A. Zuniga, Executive Director
Heather E. Hall, Deputy Director of Police Certification
DATE: February 12, 2026
RE: Application for Voluntary Relinquishment of Certification Submitted by Paul Oliveira on January 19, 2026

The Peace Officer Standards and Training Commission has received an application from Paul Oliveira (“Mr. Oliveira”) to voluntarily relinquish his certification as a law enforcement officer (“application”). In accordance with the Commission’s *Policy on Voluntary Relinquishment of Certification* (“policy”), Commission staff evaluated Mr. Oliveira’s application and conducted the requisite background check. Based on the staff review of the application and information obtained, the Executive Director recommends that the Commission **GRANT** the application without any conditions at its meeting on Thursday, February 19, 2026.

I. BACKGROUND AND APPLICATION

Mr. Oliveira began serving as a law enforcement officer with the New Bedford Police Department (“New Bedford PD”) in 1992. In 2021, Mr. Oliveira was promoted to Chief of the New Bedford PD. He was automatically certified as a law enforcement officer as of July 1, 2021. In 2023, the Commission recertified him for a period of three years. In May of 2025, Mr. Oliveira retired from the New Bedford PD. He currently holds a restricted certification status, which means that he is certified, and his certification is inactive. His certification is set to expire on July 1, 2026.

On January 19, 2026, Mr. Oliveira submitted his application. He answered “No” to each of the questions on the application. He also indicated that he is applying to relinquish his certification because he is in the process of applying to be a private investigator.

II. EVALUATION OF MR. OLIVEIRA’S APPLICATION

a. Certification Division

The Division of Police Certification (“Certification Division”) reviewed internal records and recommended approval of the application without any conditions. The Certification

Division then forwarded the application to the Division of Police Standards (“Standards Division”) for review.

b. Standards Division

The Standards Division reviewed Mr. Oliveira’s application and reported that it had done its due diligence, including a review of Federal and Massachusetts court records. After that review, the Standards Division raised concerns about Mr. Oliveira’s negative responses to Questions 4.a. and 4.b. in the application, regarding whether he had been involved in any civil or administrative agency actions related to law enforcement.

Specifically, the Standards Division reported that Mr. Oliveira had been a named defendant in the 2022 Federal lawsuit, *Robinson v. City of New Bedford, et al.*, 1:22-CV-10942-RGS (“lawsuit”). The Amended Complaint in the lawsuit alleged excessive force in connection with the arrest of Robinson by other New Bedford PD officers, which included the use of a taser by one of them. The claims against Mr. Oliveira included negligent training and supervision, as well as civil rights violations. The Standards Division reported that the case was settled by the parties in 2024, without any finding of liability, and asked that Mr. Oliveira be contacted about supplementing his application.

c. Summary of Follow Up Communications

On January 30, 2026, the Certification Division followed up with Mr. Oliveira. The Certification division noted the lawsuit and asked Mr. Oliveira if he wished to supplement his application regarding the lawsuit or any other information. On February 2, 2026, Mr. Oliveira submitted a timely supplemental application, disclosing the lawsuit. He also apologized for the oversight.

III. MEDIA COVERAGE AND OPPORTUNITY FOR PUBLIC COMMENT

In 2025, the New Bedford PD was the subject of a Boston Globe Spotlight series, titled “Snitch City.” The Spotlight series reported alleged misuse of informants, among other instances of alleged misconduct. Mr. Oliveira was the subject of Episode 3 of that series, titled “The Chief,” which can be found here: [Spotlight: Best true crime podcast, Snitch City Episode 3 | The Chief](#). In that episode, the Globe also reported that Mr. Oliveira was not charged criminally or disciplined by the New Bedford PD. In addition to the Spotlight series, he was the subject of other Boston Globe articles, as well as media coverage by other outlets.

Pursuant to the policy, Mr. Oliveira’s application and supplemental application are being posted on the Commission’s website so that his previous law enforcement employer and members of the public may submit comments.

IV. EXECUTIVE DIRECTOR’S RECOMMENDATION

After reviewing the information provided, the Executive Director recommends that the Commission **GRANT** Mr. Oliveira’s application without conditions.