



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

June 15, 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 #77

June 18, 2026

8:30 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 999 7721 2047

EXECUTIVE DIRECTOR

Enrique A. Zuniga

- 1) Call to Order
- 2) Approval of Minutes
 - a) May 21, 2026
- 3) Executive Director Report – Enrique A. Zuniga, Eric Rebello-Pradas
 - a) General Update
 - b) Finance and Administrative Update
- 4) Legal Update – Randall E. Ravitz
 - a) Proposed draft regulations 555 CMR 3.00 “Law Enforcement Agencies, Officers, and Functions Subject to Regulation.”
- 5) Agency Certification – Randall E. Ravitz, Annie E. Lee
 - a) Internal Affairs and Officer Complaint Investigation Procedures Standard
 - b) Requirements for Agency Certification
- 6) Matters not anticipated by the Chair at the time of posting

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MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

7) Executive Session in accordance with the following:

- M.G.L. c. 30A, § 21(a)(1), to discuss “the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, . . . or individual”;
- M.G.L. c. 30A, § 21(a)(3), to discuss “strategy with respect to . . . litigation,” as “an open meeting may have a detrimental effect on the . . . litigating position of the public body”;
- 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, consistent with 555 CMR 1.10(4)(a); 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-2023-04-13-002
- ii) PI-2025-060
- iii) PI-2023-05-11-07

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

- i) PI-2025-003

c) Division of Standards request for approval to conduct Preliminary Inquiries and/or impose a suspension in the following cases:

- i) PI-2026-035
- ii) PI-2025-066
- iii) PI-2026-036
- iv) PI-2026-037
- v) PI-2026-038
- vi) PI-2026-039
- vii) PI-2026-040

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- d) Suspension Hearing in the Matter of Lakeisha Horsley; Case No. 2025-044
- e) Discussion of strategy in the matter of the Law Offices of Howard Friedman, P.C., v. Massachusetts Peace Officer Standards and Training (POST) Commission, Civil Action No. 2584CV02072 in the Suffolk County Superior Court
- f) Approval of the minutes of the Executive Session of May 21, 2026

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

May 21, 2026

8:30 a.m.

Via Zoom

Documents Distributed in Advance of Meeting

- April 16, 2026 Public Meeting Minutes
- Executive Director Report
- Presentation concerning the drafted law enforcement agency certification standards regarding internal affairs and officer complaint investigation procedures
- Memo concerning the drafted law enforcement agency certification standards regarding internal affairs and officer complaint investigation procedures
- Draft agency certification standards regarding internal affairs and officer complaint investigation procedures

1. Call to Order

- The meeting began at 8:41 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 Hanya H. Bluestone – Present
 - Commissioner Lawrence Calderone – Present
 - Commissioner Deborah Hall – Present
 - Commissioner Marsha V. Kazarosian – Present
 - Commissioner Charlene D. Luma – Present
 - Commissioner Clyde Talley – Present
- Commissioner Lester Baker and Commissioner Eddy Chrispin were absent from the meeting.

2. Approval of Minutes

- Chair Hinkle asked for a motion to approve the April 16, 2026 minutes. Commissioner Luma moved to approve the minutes, and Commissioner Talley seconded the motion.
- The Commissioners voted unanimously to approve the April 16, 2026 public meeting minutes.

3. Executive Director Report – Executive Director Enrique A. Zuniga, Chief Financial Administrative Officer (“CFAO”) Eric Rebello-Pradas

- Executive Director Zuniga began his report by acknowledging the recent line-of-duty death of Massachusetts State Police (“MSP”) Trooper Kevin Trainor. He stated as follows.
 - In the early morning hours of May 6, 2026, shortly after completing his shift, Trooper Trainor responded to reports of a wrong-way driver traveling on Route 1.
 - Shortly thereafter, Trooper Trainor’s cruiser was involved in a head-on collision with the wrong-way driver, and he was pronounced dead after being transported to the hospital.
 - Executive Director Zuniga extended condolences to Trooper Trainor’s family, friends, community, and the MSP.

- He noted that Trooper Trainor had served with the MSP for three years and was 30 years old.
- Executive Director Zuniga also acknowledged the recent shooting on Memorial Drive, during which an MSP Trooper and an armed civilian, later identified as a former Marine, responded to an active shooter situation and helped neutralize the incident.
- He stated that these tragic and heroic incidents are sobering reminders of the hazards inherent in the law enforcement profession and noted their proximity to Peace Officer Memorial Day, observed on May 15, 2026.
- Executive Director Zuniga then 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 provided an update regarding officer recertification. He stated as follows.
 - The deadline to recertify approximately 5,000 veteran police officers with last names beginning with I through P is July 1, 2026.
 - The recertification portal opened on May 1, 2026, and the deadline for agencies to submit the Business License Application is June 30, 2026.
 - Commission staff conducted four training sessions around the portal opening date, attended by approximately 200 individuals.
 - During the training sessions, participants asked questions regarding the process for entering information in advance of information that may change before the June 30 deadline, including in-service training completion information.
 - Staff instructed users to enter information when they have it, even if the Commission corroborates compliance after June 30.
 - Staff have begun reviewing information as it is submitted in real time in order to address the large volume of applications typically submitted close to the deadline.
 - As of May 18, 2026, the Commission had received 1,282 applications for recertification, representing approximately 25 percent of the anticipated total.
- Executive Director Zuniga then provided an update regarding retired officers who continue working details. He stated as follows.
 - The Commission has maintained, based on its reading of the governing statute, that an individual must be both certified by the Commission and employed by a law enforcement agency in order to exercise police powers.
 - Agencies have been instructed to submit recertification applications for such individuals because they must be certified by the Commission.
 - The Commission has received anecdotal reports that this requirement may not be broadly understood or consistently followed.
 - The Commission plans to ask chiefs of police to confirm that any individuals working details who carry police powers are certified by the Commission.
 - The Commission intends to corroborate this information by sending a form to agency heads requesting that they attest that individuals working details who are not certified by the Commission do not have police powers.
- Executive Director Zuniga then provided an update regarding a recent request from the United States Department of State concerning consular notification requirements. He stated as follows.

- Officials anticipate a significant number of foreign visitors in cities hosting FIFA World Cup games, including Foxborough and the Boston area.
- The State Department asked the Commission to remind law enforcement agencies of the requirement to notify foreign consulates when they arrest a foreign national.
- The requirement does not change how law enforcement agencies conduct their enforcement duties but adds a notification requirement.
- The State Department contacted the Commission and asked them to distribute the reminder to law enforcement agencies and make available a training video provided by the State Department.
- The Commission has communicated the requirement to Massachusetts law enforcement agencies, and the training video is available through the Commission's website using a separate password.
- Executive Director Zuniga provided an outreach and engagement update. He stated as follows.
 - On May 8, 2026, General Counsel Randall E. Ravitz presented to judges and staff of the Boston Municipal Court at their Spring 2026 conference in Southbridge.
 - The presentation focused on the Commission's structure, charge, and accomplishments to date, as well as the 2020 legislation that established the Commission and adopted various measures to improve law enforcement.
 - On May 12, 2026, Counsel Annie E. Lee, Jim O'Brien from the Municipal Police Training Committee ("MPTC"), and Executive Director Zuniga presented at the Martha's Vineyard Law Enforcement Training Council Conference.
 - As part of that presentation, they discussed updates from the MPTC and the Commission, including reminders regarding the submission of information to the Commission, statistical data regarding disciplinary records, and the recertification process.
 - On May 14, 2026, Executive Director Zuniga attended the spring virtual meeting of the Northeast Peace Officer Standards and Training Directors.
 - These regional meetings provide opportunities to share ideas, challenges, and best practices among directors and are intended to enhance roundtable discussions at the annual national meeting scheduled for early June.
- Executive Director Zuniga paused for questions or comments from the Commissioners. Hearing none, he turned the floor over to CFAO Rebello-Pradas for the finance and administrative update.
- CFAO Rebello-Pradas provided a financial and administrative update. He stated as follows.
 - The Commission continues to estimate an FY26 reversion of approximately \$425,000, but that estimate may be revised as Finance and Administration and Information Technology review contract renewals.
 - The internal control working group will meet to review updates to the internal control plan, which is updated annually in accordance with Comptroller standards.
 - With respect to FY27 budget development, the House Ways and Means budget appropriated \$8.8 million for the Commission, representing no growth over the current fiscal year.

- The Commission requested that Representative Michael Day sponsor an amendment to restore the Commission’s appropriation to the Governor’s proposed amount of \$9 million.
 - Although the amendment was not adopted, the Commission continues to monitor legislative activity, advocate for funding, and maintain the position reflected in its budget testimony.
 - Another House amendment would have subjected certain Commission decisions, including decertification decisions and suspensions longer than two weeks, to *de novo* review in Superior Court.
 - The Commission provided feedback to the House Judiciary Committee and House Ways and Means Committee regarding the amendment, which was not adopted.
 - Although the Legislature has authority to make changes to the Commission and its mission, the Commission seeks to ensure that the Legislature is informed of the potential effects of any proposed changes.
 - The Senate Ways and Means budget matched the Governor’s proposed \$9 million appropriation for the Commission.
 - Senate debate was ongoing, but the Commission expected the \$9 million figure to remain unchanged.
 - CFAO Rebello-Pradas provided a hiring update. He stated as follows.
 - Alexa Hyde was promoted to Data Analytics Manager and will lead data analytics initiatives within the Information Technology Division.
 - Keeley Rice and Kathleen Veneri joined the Division of Police Standards as enforcement counsel.
 - The Legal Division has accepted an offer for the Information Management Counsel & Records Access Officer position, pending completion of a background check.
 - Interviews are underway for the sixth Intake Coordinator position, which the Commission expects to fill by June 30, 2026.
 - The Commission currently has 53 staff members and expects to reach 55 staff members by the end of the fiscal year.
 - Executive Director Zuniga asked whether the Commissioners had any questions or comments regarding the reports.
 - Chair Hinkle stated that she did not see any questions or comments, thanked Executive Director Zuniga and CFAO Rebello-Pradas for their reports, thanked the staff members who worked on the matters discussed, and moved to the next agenda item.
- 4. Agency Certification Standards – General Counsel Randall E. Ravitz, Counsel Annie E. Lee**
- General Counsel Ravitz introduced the next agenda item concerning agency certification standards and turned the floor over to Counsel Lee.
 - Counsel Lee presented proposed revisions to the agency certification standard concerning internal affairs and officer complaint investigation procedures. She stated as follows.
 - The standard was first presented to the Commission in January 2026, and revisions largely concerning reporting were presented in March 2026.
 - Staff subsequently sought further feedback from the MPTC regarding a proposed best practice concerning the bifurcation of investigation and disciplinary responsibilities in internal affairs matters.

- MPTC feedback was mixed, with some members raising feasibility concerns for smaller and mid-sized agencies and at least one member supporting the concept as a way to reduce potential bias and strengthen the integrity of internal affairs investigations and disciplinary decisions.
- The proposed revision would provide that, when staffing, resources, and circumstances reasonably permit or dictate, an internal affairs investigation should be assigned to an investigator who is not responsible for imposing discipline.
- The proposed language is intended to reflect bifurcation as a best practice while recognizing that agencies may not be able to separate those responsibilities in every matter.
- Commissioner Calderone asked whether the proposed revision would still require the investigator and disciplinary decision-maker to be separate individuals.
- Counsel Lee responded that the proposed language states a preference for separating those roles but includes flexibility where staffing, resources, or circumstances do not permit separation in every internal affairs matter.
- Commissioner Calderone expressed concern that the revision would weaken the existing standard. He stated that, in his experience, internal affairs investigations are performed by someone other than the chief, commissioner, or agency head responsible for imposing discipline, and that the investigator and disciplinary decision-maker should remain separate to reduce the risk of bias.
- Counsel Lee responded that MPTC feedback reflected concern from smaller agencies regarding circumstances in which a command staff member is the subject of an internal affairs investigation and another command staff member may both conduct the investigation and render the disciplinary decision.
- Commissioner Calderone stated that the Commission's current regulations already imply separation between the investigator and decision-maker and asked whether the proposed language would weaken that presumption.
- Counsel Lee responded that the proposed language both states the presumption and attempts to build in flexibility for agencies with practical limitations.
- Commissioner Calderone asked whether the Commission could carve out portions of the proposed standard when voting, stating that he did not want to weaken the requirement that the investigator and disciplinary decision-maker be separate.
- Counsel Lee confirmed that the Commission could vote on the standard in whatever manner it deemed appropriate.
- Commissioner Kazarosian asked whether the phrase "investigator employed by the agency" could be confusing because it may suggest that the agency would separately hire or pay an investigator, rather than assign an existing in-house investigator.
- Counsel Lee responded that the language mirrors the Commission's procedural regulations and is intended to refer to an investigator within the agency, such as an officer assigned to an internal affairs unit, as distinct from an outside investigator retained by the agency.
- Commissioner Kazarosian stated that she understood the intent but remained concerned that the word "employed" could be confusing and suggested that different wording may be clearer.
- Executive Director Zuniga suggested replacing "employed" with "within."

- Commissioner Kazarosian stated that her concern was not whether the investigator was internal or external, but that the draft language could be read to require separate employment or hiring for that role.
- Chair Hinkle suggested that the phrase be replaced with “employee of the agency” to preserve agency discretion.
- Commissioner Kazarosian agreed that such wording could address her concern.
- Chair Hinkle noted that the discussion appeared to relate to Commissioner Calderone’s earlier concern regarding separation between the investigator and disciplinary decision-maker.
- Commissioner Calderone stated that his concern was two-fold. He stated as follows.
 - If similar language already exists in the Commission’s regulations, he did not see a need to add language that could create confusion or weaken the existing process.
 - He agreed with Commissioner Kazarosian that the proposed wording was unclear.
 - He stated that the investigator should not be the person determining whether misconduct occurred or imposing discipline.
 - He further stated that agency heads are responsible for imposing discipline and expressed concern that the proposed language could allow one person to investigate, make findings, and impose discipline.
 - He requested that the proposed section be removed and stated that, while he could support the other proposed revisions, this issue would be a concern for him during the vote.
- Commissioner Talley agreed with Commissioner Calderone and questioned what value the proposed language would add to the standard.
- Counsel Lee responded that staff proposed the language because the current regulations may not clearly require bifurcation of investigative and disciplinary responsibilities, even though staff view that separation as a best practice.
- Commissioner Kazarosian stated that, after reviewing the regulation, it did not appear to expressly require that the investigator be different from the person imposing discipline.
- She stated that she understood the purpose of clarifying that point and viewed the proposed concept as strengthening, rather than weakening, the standard.
- Commissioner Kazarosian reiterated that she would prefer revised wording referring to an investigator who is an employee of the agency.
- Commissioner Calderone agreed that, if the regulation does not already expressly require separation between the investigator and disciplinary decision-maker, the standard should make that requirement clear.
- Executive Director Zuniga stated that staff could clarify the requirement, consistent with the original intent of the proposed revision.
- He explained that one concern raised by smaller agencies was that the language could be interpreted to require use of an outside investigator in all cases.
- He stated that the intent was to require separation between the investigator and disciplinary decision-maker, not to require agencies to use an outside investigator.
- Counsel Lee stated that the concern was particularly relevant when the subject of an internal affairs investigation is someone with supervisory authority and the officers who would ordinarily conduct the investigation may have a conflict.

- Commissioner Luma asked how the standard would address smaller agencies that may lack the capacity for separate individuals to conduct the investigation and impose discipline.
- Commissioner Calderone responded that the language could allow an agency to assign an investigator internally or retain an outside investigator, while still requiring a different person to impose discipline.
- He stated that an outside investigator may be necessary when a high-ranking command staff member is the subject of the investigation and there is no appropriate lower-ranking officer available to conduct it.
- Commissioner Luma asked whether smaller agencies may need technical assistance or support regarding appropriate investigative standards, training, or resources.
- Commissioner Calderone stated that, in practice, agencies often retain outside firms staffed by former law enforcement investigators or command staff to conduct internal investigations, and that he did not believe the Commission needed to provide guidance on selecting those resources.
- Commissioner Luma thanked Commissioner Calderone for his response.
- Commissioner Kazarosian stated that the proposed language allowing separation of roles when staffing, resources, and circumstances reasonably permit or dictate appeared to address concerns regarding smaller agencies.
- She also suggested that the language could refer to an investigator assigned by the agency or an outside investigator retained by the agency.
- Executive Director Zuniga stated that staff could return with revised language reflecting the Commissioners' discussion.
- He also noted that smaller agencies may, in some circumstances, rely on investigators from neighboring departments through formal or informal arrangements rather than retaining a private outside investigator.
- Chair Hinkle asked whether it was the consensus of the Commissioners that they would like to receive revised language prior to furthering the discussion at the next meeting. The Commissioners agreed that that was the approach they wanted to take.
- Counsel Lee stated that she would return to the next Commission meeting with revised language.
- Counsel Lee then continued her presentation and summarized the second proposed revision concerning validation of investigative findings. She stated as follows.
 - The proposed language is intended to ensure that investigative findings are sound and bias-free.
 - The purpose of the revision is to support sound and bias-free disciplinary decisions flowing from internal affairs investigations.
- Counsel Lee then provided a roadmap of next steps in the agency certification process. She stated as follows.
 - Since June 2024, the Commission's agency certification work has focused on the development of the eight statutory agency certification standards.
 - The Commission has preliminarily approved all of the statutory standards except the internal affairs and officer complaint investigation procedures standards.
 - Pending further discussion or feedback on the internal affairs and officer complaint investigation procedures standards, the next stage of the process will focus on compliance.

- Future discussions will include whether the Commission, when assessing agency certification compliance, should consider an agency’s past compliance with other legal requirements, rules, or regulations.
 - Counsel Lee concluded her presentation and welcomed any questions or comments from the Commissioners.
 - Executive Director Zuniga noted a public comment regarding whether minor matters or small policy violations should be excepted from any bifurcation requirement.
 - Chair Hinkle stated that she did not see any Commissioner responses to the question, and Executive Director Zuniga stated that staff would return with a proposal reflecting the discussion.
 - Chair Hinkle asked whether Counsel Lee or General Counsel Ravitz had anything further to address.
 - General Counsel Ravitz stated that they did not.
 - Chair Hinkle thanked Counsel Lee and General Counsel Ravitz for their work, including their outreach to others and their consideration of the Commissioners’ feedback.
 - Chair Hinkle stated that the Commission looked forward to addressing the matter again at the next meeting and moved to the next agenda item.
- 5. 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.
- 6. 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.
 - They will be considering requests from the Division of Police Standards to approve a preliminary inquiry and or to impose a suspension in three cases.
 - They will be considering a suspension hearing in the matter of Dylan Knox.
 - They will also be addressing approval of the minutes of the April 16, 2026 executive session.
 - Chair Hinkle asked for a motion to enter executive session. Commissioner Kazarosian moved to enter executive session, and Commissioner Calderone 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 and helped prepare for the Commission meeting and expressed appreciation to members of the public for their interest in the Commission's work.
- The public meeting was adjourned at 9:31 a.m.

Summary of Matters Voted on by the Commission

- Approval of minutes of April 16, 2026 meeting.
 - The Commission voted unanimously to approve the minutes included in the meeting packet.

3.



Executive Director Report

June 18, 2026

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Agenda

1. Certification Update
2. Use of Force Model Policy Update
3. Outreach & Engagement
4. Finance & Administrative Update

Certification Update



Preliminary Certification Numbers (as of June 15)

	June 15	May 18	
• Anticipated numbers to be certified:	5,034	5,095 *	
• Business License Applications Submitted:	2,898	(1,282)	+1,616
• Outstanding applications:	2,242	(3,813)	-1,571
• Chief attestations received:	99 of 110	(76)	+23

* Officers may have left or returned from policing since May 18. Also, officers with expiration past 7/1 have been removed from the expected figure

Certification Update



Use of Force Model Policy Rollout and Training

- Joint training effort (POST-MPTC)
- Three training sessions throughout the state
- Use of Force form
- Compliance by September 30, 2026
- Submit confirmation regarding compliance after September 30

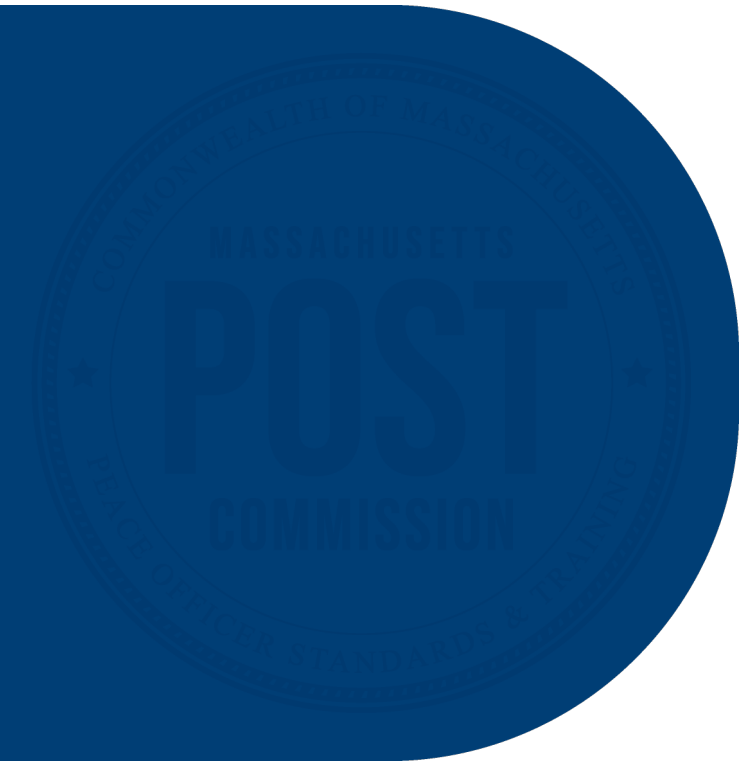
Outreach & Engagement



Recent:

- May 21 - Presentation to Northeastern Public Policy PhD's students
- June 8 thru 10 – IADLEST National Conference, Ft Worth TX.
- June 16 – Major City Chiefs
- Use of Force Model Policy Rollout & Training:
 - ✓ June 2 – Holyoke
 - ✓ June 23 – Southborough
 - ✓ June 30 – Randolph

Finance & Administrative Update



F&A Update



FY27 Budget Development

- Conference Committee Phase – Appointed May 28
- HOU - **\$8.83M**; SEN - **\$9.01M**
- ***Next Steps:*** Release of *Conference Committee Report*, Vote by Legislature, and Governor Review

FY26 Year-End Activity

- Revised Spending Estimate: **\$8.61M**
- Reversions of **\$300K**
- ICP & ICC

F&A Update



Human Resources

- Staff Promotions:
 - Alia Spring, Communications Director
 - Laura Martin, Senior Intake Specialist
- Welcome New Member:
 - Ben Robbins, Information Management Counsel & RAO
- Welcome Legal Interns from Boston University Law School:
 - Quincy Cason
 - Sarah Crawford
 - Connor Hamill
 - Chioma Ohadoma
- Open Position:
 - Intake Coordinator #6 (for FY27)
- Headcount: 54



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4a.

555 CMR: PEACE OFFICER STANDARDS AND TRAINING COMMISSION

555 CMR 3.00: LAW ENFORCEMENT AGENCIES, OFFICERS, AND FUNCTIONS
SUBJECT TO REGULATION

Section

- 3.01: Scope
- 3.02: Definitions
- 3.03: Law Enforcement Agencies
- 3.04: Heads of Law Enforcement Agencies
- 3.05: Officers of Law Enforcement Agencies
- 3.06: Law Enforcement Officers
- 3.07: Law Enforcement Powers
- 3.08: Performance of Police Duties and Functions
- 3.09: Law Enforcement Agency Responsibility for Individual Conduct
- 3.10: Obtaining Information

3.01: Scope

- (1) 555 CMR 3.00 establishes:
 - (a) The Commission's understanding of the meaning of the following terms, as they are used in M.G.L. 6E; and how such terms should be construed, as they are used in 555 CMR:
 - 1. Arrest;
 - 2. Head of a law enforcement agency;
 - 3. Law enforcement agency;
 - 4. Law enforcement officer;
 - 5. Officer of a law enforcement agency; and
 - 6. Police duties and functions;
 - (b) Certain restrictions on the execution of arrests and the performance of police duties and functions; and
 - (c) The circumstances in which a law enforcement agency will be deemed responsible for conduct by an individual or an entity.
- (2) 555 CMR 3.00 also confirms that the Commission may obtain information that it needs to make determinations under such regulations.
- (3) The provisions of 555 CMR 3.00 supersede any inconsistent provisions of any policy, construction of the scope of M.G.L. c. 6E, guidance, or advisory previously issued by the Commission.
- (4) Nothing in 555 CMR 3.00 is intended to:
 - (a) Limit any obligations that any individual or entity otherwise has under M.G.L. c. 6E, 555 CMR, or another source of authority;
 - (b) Establish a standard of care;
 - (c) Create any power, right, benefit, entitlement, remedy, cause of action, claim, defense, immunity, privilege, or protection on the part of any person or entity other than the Commission, except as expressly provided; or
 - (d) Otherwise waive or limit any power, right, benefit, entitlement, remedy, cause of action, claim, defense, immunity, privilege, or protection that may be available to the Commission.

3.02: Definitions

- (1) 555 CMR 3.00 incorporates all definitions and rules of construction set forth in 555 CMR 2.02: *Definitions* and 2.03: *Construction*, except those definitions of terms that are defined in 555 CMR 3.02(2).
- (2) For the purposes of 555 CMR 3.00, the following terms have the following meanings, unless the context requires otherwise:

Arrest. An actual or constructive seizure or detention of a person, performed with the intention to effect an arrest and so understood by the person detained. For purposes of applying this definition, the following

shall constitute seizures: an application, to the body of a person, of physical force that objectively manifests an intent to restrain; a show of authority, through words or conduct, that a reasonable person would consider coercive; and an exercise of official powers that is facilitated by the use or display of a weapon. An arrest does not include the mere service of papers, without more.

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

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

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

Correctional Facility. A correctional institution overseen by the Massachusetts Department of Correction; a house of correction overseen by a Sheriff's Office; or, when combined with a house of correction, a jail overseen by a Sheriff's Office; but not a lockup overseen by a municipality.

Decertified. "Decertified" as defined in M.G.L. c. 6E, § 1.

Head of a Law Enforcement Agency. A "head of a law enforcement agency" described in 555 CMR 3.04.

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

Law Enforcement Agency. A "law enforcement agency" described in 555 CMR 3.03.

Law Enforcement Officer. A "law enforcement officer" described in 555 CMR 3.06.

Member. An individual who, with respect to a particular law enforcement agency: is the agency's head; is an agency employee; works for the agency as an independent contractor; is the agency's agent under principles of agency law; is subject to the agency's direction and control as to relevant matters, whether because another employer or principal has made the individual available for service to the agency or otherwise; maintains one of the foregoing relationships with another entity, if that entity is engaged in a joint venture with the agency as to relevant matters.

Officer of a Law Enforcement Agency. An "officer of a law enforcement agency" described in 555 CMR 3.05.

Performance of Police Duties and Functions. The "performance of police duties and functions" described in 555 CMR 3.09.

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

Sheriff's Office. The office of a Massachusetts Sheriff as an agency, including the Sheriff and other personnel serving under the Sheriff, as well as any "sheriff's department" contemplated by M.G.L. c 6E.

- (1) For purposes of M.G.L. c. 6E and 555 CMR, law enforcement agencies include:
- (a) Each city, town, and district police department;
 - (b) The Massachusetts Office of Environmental Law Enforcement;
 - (c) The University of Massachusetts Police Department;
 - (d) The Massachusetts Department of State Police;
 - (e) The agency alternatively known as the Massachusetts Port Authority Police Department and the Port of Boston Authority Police Department;
 - (f) The Massachusetts Bay Transportation Authority Police Department;
 - (g) A state, county, municipal, or district law enforcement agency that principally performs law enforcement functions that are the same as, or substantially similar to, those performed by the agencies listed in 555 CMR 3.03(1)(a)-(f);
 - (h) Any part of a Sheriff's Office, unless:
 - 1. The Sheriff or a designee attests that the members of that part of the office:
 - a. Are not authorized by the Sheriff to execute arrests;
 - b. Are not authorized by the Sheriff to perform most other police duties and functions; and
 - c. Do not devote a majority of their work time to the performance of police duties and functions; and
 - 2. The Commission determines that the part of the office is not a law enforcement agency;
 - (i) A public or private college, university, or other educational institution or hospital police department;
 - (j) The following humane society police departments referenced in M.G.L. c. 22C, § 57, *added by* St. 1991, c. 412, § 22, if they were in existence on the date of that statute's approval, December 27, 1991:
 - 1. The Massachusetts Society for the Prevention of Cruelty to Animals;
 - 2. The Berkshire Animal Protective Society, Inc.;
 - 3. The Animal Rescue League of Boston;
 - 4. The Boston Work Horse Relief Association;
 - 5. The Lowell Humane Society;
 - 6. The Worcester Animal Rescue League; and
 - 7. The Animal Rescue League of New Bedford; and
 - (k) Any other "law enforcement agency" under M.G.L. c. 6E.

3.04: Law Enforcement Officers

- (1) For purposes of M.G.L. c. 6E and 555 CMR, law enforcement officers include:
- (a) Any officer of a law enforcement agency;
 - (b) Any member of a humane society police department listed in 555 CMR 3.03(1)(j) appointed as a Special State Police Officer pursuant to M.G.L. c. 22C, § 57;
 - (c) Any member of the agency alternatively known as the Massachusetts Port Authority and the Port of Boston Authority appointed as a Special State Police Officer pursuant to M.G.L. c. 22C, § 58;
 - (d) Any member of an educational institution or hospital appointed as a Special State Police Officer pursuant to M.G.L. c. 22C, § 63;
 - (e) A Sheriff; a Deputy Sheriff appointed pursuant to M.G.L. c. 37, § 3; or a Special Sheriff appointed pursuant to M.G.L. c. 37, § 4; unless:
 - 1. The Sheriff or a designee attests that the individual:
 - a. Is not authorized by the Sheriff to execute arrests;
 - b. Is not authorized by the Sheriff to perform most other police duties and functions; and
 - c. Does not devote a majority of the individual's work time to the performance of police duties and functions; and
 - 2. The Commission determines that the individual is not a law enforcement officer;
 - (f) A constable who executes, or expects to execute, an arrest;

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- (g) Any special, reserve, or intermittent police officer serving on a part-time or temporary basis who is among the types of officers listed in 555 CMR 3.04(1)(a) through (f); and
- (h) Any other “law enforcement officer” under M.G.L. c. 6E.

(2) For purposes of M.G.L. c. 6E and 555 CMR, law enforcement officers shall also include each of the following, if recognized as such by a vote of the Commissioners:

- (a) Any member of the Civil Defense Agency appointed as a Special State Police Officer pursuant to M.G.L. c. 22C, § 64; and
- (b) Any member of the State Auditor’s Office’s Bureau of Special Investigations appointed as a Special State Police Officer pursuant to M.G.L. c. 22C, § 68.

3.05: Heads of Law Enforcement Agencies

(1) For purposes of M.G.L. c. 6E and 555 CMR, unless the Commission has determined otherwise based on an analysis of an individual’s position and other relevant circumstances, the head of a law enforcement agency is the highest-level individual who exercises day-to-day supervision and control of the law enforcement activity of the agency, without regard to:

- (a) The individual’s position title;
- (b) Whether the individual is considered an employee of the agency; and
- (c) Whether the individual is considered a sworn officer or a civilian.

(2) The Commission may:

- (a) Direct a law enforcement agency to identify the most suitable individual to be treated as the agency head for purposes of M.G.L. c. 6E and 555 CMR; and
- (b) Itself identify the most suitable individual to be treated as the agency head for purposes of M.G.L. c. 6E and 555, where the agency fails to do so.

3.06: Officers of Law Enforcement Agencies

(1) For purposes of M.G.L. c. 6E and 555 CMR, officers of a law enforcement agency include any member or affiliate of the agency who:

- (a) Is the head of an agency, unless the Commission has determined otherwise based on an analysis of the individual’s position and other relevant circumstances;
- (b) Is a police officer;
- (c) Is authorized, or tends, to make arrests or to perform police duties and functions; or
- (d) Represents oneself as a law enforcement officer with the agency in interacting with the public.

(2) The Commission may determine that an individual not referenced in 555 CMR 3.06(1) is an officer of a law enforcement agency based on an analysis of the individual’s position and other relevant circumstances.

(3) In an analysis by the Commission under 555 CMR 3.06(1) or (2):

- (a) No one or more factors will necessarily compel or foreclose a determination that an individual is an officer of a law enforcement agency;
- (b) The Commission may treat the following factors as weighing in favor of a conclusion that the individual is an officer of a law enforcement agency:
 - 1. The individual is a member of the agency;
 - 2. The individual devotes substantial time to matters related to law enforcement, or is expected to do so;
 - 3. The individual personally engages in law enforcement activity, or is authorized to do so;
 - 4. The individual tends to carry a weapon issued by the agency or the individual’s employer, or is authorized to do so;

5. The individual tends to wear, carry, display, or utilize any other item suggesting that the individual is a law enforcement officer, such as a uniform, a badge, an electronic control weapon, a conducted energy device, handcuffs, or a car with an emblem or lights associated with law enforcement; or is authorized to do so;
6. The individual directly oversees or supervises law enforcement officers or law enforcement activity by others; or is authorized to do so;
7. The individual directly oversees or supervises the disciplining of law enforcement officers; or is authorized to do so;
8. The individual is part of the chain of command or supervision that submits or approves reports to the Commission pursuant to M.G.L. c. 6E or 555 CMR;
9. The individual engages in law enforcement activity without securing authorization from another; or is authorized to do so;
10. The individual is required to have education, training, or experience in law enforcement in order to hold the individual's position;
11. A law enforcement officer is designated to perform the individual's role when the individual is absent or incapacitated;
12. The individual claims the ability to take advantage of a legal rule, policy, or benefit that applies to law enforcement officers;
13. An entity with which the individual is affiliated claims the ability to take advantage of a legal rule, policy, or benefit that applies to law enforcement officers in behalf of the individual;
14. There is evidence that the Legislature or another governing body considers the holder of the individual's position to be a law enforcement officer, such as a statute, regulation, ordinance, or by-law;
15. There is evidence that an entity with which the individual is affiliated considers the holder of the individual's position to be a law enforcement officer, such as a policy or position description; and
16. The individual holds a position title that tends to be associated with, or the individual receives compensation for holding, a position that has one or more of the characteristics listed in this 555 CMR 3.06(3).

3.07: Law Enforcement Powers

- (1) Neither an entity's status as a law enforcement agency; an individual's status as a head of a law enforcement agency, as an officer of a law enforcement agency, or as a law enforcement officer; nor an individual's certification provides an entity or an individual with any jurisdiction or powers beyond those granted before the enactment of M.G.L. c. 6E.

3.08: Performance of Police Duties and Functions

- (1) For purposes of M.G.L. c. 6E and 555 CMR:
 - (a) An individual or entity engages in the performance of police duties and functions by either:
 1. Personally carrying out such duties and functions; or
 2. Supervising or overseeing another's carrying out of such duties and functions;
 - (b) Police duties and functions include the following forms of conduct, if a reasonable person would view the conduct as involving an assertion of authority over another individual or entity using, or purporting to use, law enforcement powers, and if performed outside of correctional facilities:
 1. Suppressing and preventing disturbances and disorder;
 2. Dispersing people;
 3. Entering private premises to suppress breaches of the peace;

4. Stopping, arresting, processing, and confining suspects;
 5. Searching individuals, and seizing evidence and contraband;
 6. Questioning individuals and otherwise investigating; and
 7. Carrying a weapon.
- (c) Police duties and functions do not include any of the following discrete forms of conduct, if it does not involve any conduct described in 555 CMR 3.08(1)(b):
1. Serving process;
 2. Transporting prisoners or other individuals in custody; or
 3. Directing traffic.
- (2) Except as provided in 555 CMR 3.08(4), the following will be subject to Commission sanctions for the execution of any type of arrest or the performance of any other police duty or function:
- (a) A law enforcement officer who is not certified;
 - (b) A member of, an affiliate of, or an individual that has been granted any authority by, a law enforcement agency, who is not certified;
 - (c) An individual with a certification that has been administratively suspended or otherwise suspended;
 - (d) An individual who has been decertified;
 - (e) An individual with a certification that has been conditioned, limited, or restricted in a manner that precludes the relevant form of activity;
 - (f) A law enforcement officer, a law enforcement agency member or affiliate, an individual that has been granted any authority by a law enforcement agency, or an individual that has been certified, who lacks the power under law to engage in the relevant form of activity; and
 - (g) A law enforcement agency that tolerates such conduct by an individual listed in this 555 CMR 3.08(2).
- (3) Potential Commission sanctions under 555 CMR 3.08(2) include:
- (a) Denying, limiting, conditioning, or restricting a certification for an individual pursuant to M.G.L. c. 6E, §§ 3 and 4, and 555 CMR 7.04: *Conditional Recertification*, 7.09: *Restriction or Revocation of Certification*, 9.09: *Conditional Certification*, 9.12: *Certification Status*, 10.07: *Conditional SRO Certification*, and/or 10.09: *SRO Certification Status*, applying the procedures for such actions prescribed by 555 CMR 1.00: *Procedural Rules*, 7.00: *Recertification*, 9.00: *Initial Certification of Officers*; and *Renewed Certification of Independently Applying Officers*, and/or 10.00: *Specialized Certification for School Resource Officers*, as applicable;
 - (b) Administratively suspending an individual's certification for a specified period of time or until specified conditions are satisfied pursuant to M.G.L. c. 6E, § 3, applying the procedures for administrative suspensions prescribed by M.G.L. c. 6E, § 9(d) and 555 CMR 1.09: *Single Commissioner Review of Suspensions*;
 - (c) Suspending an individual's certification pursuant to M.G.L. c. 6E, §§ 3 and 9(a)(4), applying the standards and procedures for suspensions of certification based on the best interest of the health, safety, or welfare of the public prescribed by M.G.L. c. 6E, § 9 and 555 CMR 1.00: *Procedural Rules*;
 - (d) Ordering an individual to undergo retraining pursuant to M.G.L. c. 6E, §§ 3 and 10(d)(i) and (ix), applying the standards and procedures for retraining orders prescribed by M.G.L. c. 6E, § 10 and 555 CMR 1.00: *Procedural Rules*;
 - (e) Referring information about the matter to an appropriate government office for potential criminal or civil enforcement action pursuant to M.G.L. c. 6E, §§ 3 and 8(c)(2);
 - (f) Imposing another assessment, fee, fine, penalty, or sanction upon a law enforcement officer, a law enforcement agency, or another individual or entity, pursuant to any applicable provisions adopted by the Commission.

(4) 555 CMR 3.08(2)-(3) shall not apply to conduct of the type described in 555 CMR 3.08(2) that is:

- (a) Either:
 - 1. Necessary to defend oneself or another against imminent harm;
 - 2. Necessary to ensure the safety and control of prisoners for transport by correctional officers; or
 - 3. Necessitated by other exigent circumstances; and
- (b) Not otherwise unlawful.

3.09: Law Enforcement Agency Responsibility for Individual Conduct

- (1) The conduct of a member of a law enforcement agency will be treated as the conduct of the agency in circumstances that include those in which:
 - (a) The conduct is tolerated by the head of the agency or another high-level agency official; or
 - (b) The conduct:
 - 1. Is of the kind that the individual has been retained to perform;
 - 2. Occurs substantially within authorized time and space limits; and
 - 3. Is motivated, at least in part, by a purpose to serve the agency.

3.10: Obtaining Information

- (1) The Commission may obtain information that it requires in order to make a determination under 555 CMR 3.00, from any individual or entity, to the extent allowed by law.

REGULATORY AUTHORITY

555 CMR 3.00: M.G.L. c. 6E, §§ 3(a), 4(f)(4), 5(c).

5.



LAW
ENFORCEMENT
AGENCY (“LEA”)
CERTIFICATION

Annie E. Lee, Counsel

May 2026



AGENDA

1. Internal Affairs and Officer Complaint Investigation Procedures – revision and preliminary approval
2. Compliance – discussion



INTERNAL AFFAIRS AND OFFICER COMPLAINT INVESTIGATION PROCEDURES

Process:

- January 2026 – Initially presented to Commission
- February 2026 – Feedback from MPTC
- March 2026 – First round of revisions presented to Commission
- April 2026 – Further feedback from MPTC
- May 2026 – Second round of revisions presented to Commission

Key elements:

- Key principles
- Reporting
- Review and screening
- **Management**
- Records retention
- Conflicts of interest
- Referrals
- Communications
- Tracking and analysis
- Internal inspection and auditing
- Training



MANAGEMENT

Proposed Revision:

Set forth specific and comprehensive requirements concerning the management of an internal affairs investigation, including requirements addressing

...

2. Assignment, which shall be to an employee of the agency, or an outside investigator retained by the agency, who is not responsible for imposing discipline, in accordance with 555 CMR 1.00 and 2.03(5), except where the basis for the internal affairs investigation is a minor matter, as that term is defined in 555 CMR 1.01(1)(a);

.....



KEY POLICY QUESTIONS

Phase I: Design

- Requirements for Agency Certification
 - Should the Commission also take into consideration the LEA's past compliance with other laws, rules, and regulations?



REQUIREMENTS FOR AGENCY CERTIFICATION

Should the Commission also take into consideration the LEA's past compliance with other laws, rules, and regulations?

Proposal 1:

No. Agency certification requirements are limited to instituting written policies that meet the requirements set forth in the agency certification standards approved by the Commission.

Proposal 2:

Yes. Agency certification requirements include instituting written policies that meet the requirements set forth in the agency certification standards approved by the Commission, and satisfying all applicable statutory and regulatory obligations, whether originating from M.G.L. c. 6E or elsewhere.

5a.



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 – Internal Affairs and Officer
Complaint Investigation Procedures

Date: June 11, 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 “internal affairs and officer complaint investigation procedures” is one.

The standard regarding internal affairs and officer complaint investigation procedures was first presented to the Commission during its January 2026 meeting. Following that meeting, Commission staff sought feedback from the Municipal Police Training Committee (the “MPTC”). That feedback was provided during the MPTC’s February 2026 meeting and resulted in a first round of proposed revisions, which was presented to the Commission during its March 2026 meeting. Following that meeting, Commission staff once again sought feedback from the MPTC during its April 2026 meeting. The MPTC did not have any feedback on the first round of revisions but did, at Commission staff’s request, provide general feedback on the concept of bifurcating investigation and discipline responsibilities in an internal affairs investigation. That feedback resulted in a second round of proposed revisions, which was presented to the Commission during its May 2026 meeting.

During the Commission’s May 2026 meeting, the Commission stated that the bifurcation of investigation and discipline responsibilities should be virtually mandatory, in order to ensure that

internal affairs investigations are sound and any discipline rendered is bias-free. Based on the Commission's feedback, the bifurcation provision is revised as follows:¹

- Assignment of an Internal Affairs Investigation. The draft proposes that an internal affairs investigation be assigned “to an employee of the agency, or an outside investigator retained by the agency, who is not responsible for imposing discipline . . . except where the basis for the internal affairs investigation is a minor matter, as that term is defined in 555 CMR 1.01(1)(a).” This proposed revision seeks to: (1) clarify who is an appropriate and acceptable internal affairs investigator; and (2) strengthen the bifurcation of investigation and discipline responsibilities implied in the Commission's regulations at 555 CMR 1.00 and 2.03(5), while providing flexibility in minor matters that may otherwise pose budgetary and resource challenges to agencies.

This standard is now presented to the Commission for preliminary approval in its draft form.

Recommendation: The Commission preliminarily approve the internal affairs and officer complaint investigation procedures standard, as discussed and presented today, as a draft.

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.

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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.

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

Domestic Violence. Action that violates M.G.L. c. 265, § 13M.

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

Sexual Misconduct. Conduct of a sexual nature or conduct based on sex or gender that is nonconsensual or has the effect of threatening, intimidating, or coercing a person. Sexual misconduct can include sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and retaliation related to any of the foregoing.

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]

- (7) Internal affairs and officer complaint investigation procedures. An agency's professional standards, internal affairs, and officer complaint investigation procedures policy shall:
 - (a) Emphasize officers' duty to, at all times, act professionally and ethically, in accordance with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);

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- (b) Emphasize officers' duty to, at all times, be worthy of the public trust and the authority given to officers, in accordance with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
- (c) Emphasize officers' duty to uphold transparency, accountability, and responsibility principles, in accordance with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
- (d) Require the agency to accept all reports, whether positive or negative, regarding the agency and/or any of its officers, including, but not limited to, reports concerning or alleging:
 - 1. Conduct in the field;
 - 2. Conduct in the workplace;
 - 3. The extent of compliance with the federal or state Constitution, M.G.L. c. 6E, any rule or regulation promulgated by the Commission, or any other applicable federal or state law, rule, regulation, policy, or court or regulatory order;
 - 4. The extent of compliance with any agency policy, sub-policy, provision, rule, or regulation;
 - 5. Bias, harassment, or discrimination on the basis of actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, limited English proficiency, accent, religion, sex, sexual orientation, gender identity, mental or physical disability, genetic information, ancestry, pregnancy or a condition related to said pregnancy, status as a veteran, marital status, parental status, public assistance reciprocity, socioeconomic level, education level, professional level, or neighborhood of residence;
 - 6. Conduct that involves untruthfulness or is prejudicial to the administration of justice;
 - 7. Conduct that brings discredit to the officer and/or the agency or impairs the efficient and effective operation of the agency;
 - 8. Use of force;
 - 9. Sexual misconduct;
 - 10. Domestic violence;
 - 11. A conflict of interest;

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12. The extent of attendance at or completion of required training;
 13. An attempt to prevent any individual, including another officer, who seeks to make a report or participate in an internal affairs investigation against the agency and/or any of its officers, from doing so;
 14. An attempt to convince any individual, including another officer, who has made a report against the agency and/or any of its officers, to withdraw or abandon such a report;
 15. Actual or perceived retaliation;
 16. Conduct that reflects positively on the agency and/or any of its officers; and
 17. The agency's policies, sub-policies, provisions, rules, regulations, practices, and customs;
- (e) Require the agency to establish easily accessible methods, to the extent possible, by which reports regarding the agency and/or any of its officers may be filed, including:
1. At the agency;
 2. Over the phone, which may include text messages to a phone number designated by the agency for the submission of reports regarding the agency and/or any of its officers, if utilized by the agency;
 3. Over the internet, which may include messages to an official agency e-mail address and/or completion of a form available on the agency's website, if utilized by the agency;
 4. By mail;
 5. Orally;
 6. In writing;
 7. Anonymously or via a third party; and
 8. In languages other than English;

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- (f) Require the agency to make available to the public information about how an individual may follow up on, commend, raise concerns about, or make a report against the agency, and/or any of its officers, including by providing such information on the agency's website and on agency premises;
- (g) Prohibit the agency and its officers from engaging in any conduct for the purposes of discouraging, intimidating, or retaliating against an individual because that individual seeks to make or has made a report against the agency and/or any of its officers, including by taking any of the following steps for such a purpose:
 - 1. Requiring any such individual to make their report under oath or penalty of perjury;
 - 2. Conducting a criminal background check of any such individual;
 - 3. Conducting a warrant check of any such individual;
 - 4. Conducting an immigration check of any such individual; and
 - 5. Requiring any such individual to waive any rights that may be provided to such individual by law;
- (h) Require the agency to make available to the public information about how an individual may follow up on, raise concerns about, or make a report against the agency, and/or any of its officers with the Commission;
- (i) Encourage the agency to allow the prospective reporter the opportunity to review a copy of their report for completeness and accuracy, when time and circumstances reasonably permit;
- (j) Require the agency to screen all reports regarding the agency and/or any of its officers for the purposes of:
 - 1. Determining the agency's obligations under 555 CMR 1.00; and
 - 2. Determining whether to initiate an internal affairs investigation;
- (k) Set forth specific and comprehensive requirements concerning the management of an internal affairs investigation, including requirements addressing:
 - 1. Initiation, in accordance with 555 CMR 1.00 and 2.03(2);

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2. Assignment, which shall be to an employee of the agency, or an outside investigator retained by the agency, who is not responsible for imposing discipline, in accordance with 555 CMR 1.00 and 2.03(5), except where the basis for the internal affairs investigation is a minor matter, as that term is defined in 555 CMR 1.01(1)(a);
 3. Supervision, in accordance with 555 CMR 1.00 and 2.03(5);
 4. Investigation, in accordance with 555 CMR 1.00;
 5. Collection, preservation, and use of evidence, including, where feasible, audio- and/or video-recordings, consistent with the agency's collection and preservation of evidence policy developed pursuant to 555 CMR 13.03(8), and 515 CMR where applicable;
 6. Recommended time limits, in accordance with 555 CMR 1.00, with internal progress reporting and accountability;
 7. Validation of investigative findings;
 8. Adjudication;
 9. Resolution, in accordance with 555 CMR 12.03(5);
 10. The appropriate administration of discipline;
 11. Documentation, in accordance with 555 CMR 1.00;
 12. Case file maintenance, in accordance with 555 CMR 1.00, 12.03(1)(d), and 12.03(3)(b); and
 13. Confidentiality, in accordance with each applicable federal or state law, rule, or regulation, including, but not limited to, M.G.L. c. 4, § 7(26), M.G.L. c. 66A, M.G.L. c. 268A, and 555 CMR 1.00;
- (l) Set forth specific and comprehensive requirements concerning the appeal of any decision or action resulting from an internal affairs investigation by the officer who is the subject of the internal affairs investigation;
- (m) Include a sub-policy or provision concerning the retention of records associated with an internal affairs investigation 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, as applicable, developed by the Secretary of the Commonwealth of Massachusetts;

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- (n) Prohibit the investigated officer from attempting to convince the reporter to withdraw or abandon their report, or retaliating against the reporter;
- (o) Include a sub-policy or provision concerning the management of conflicts of interest in an internal affairs investigation that:
 - 1. Prohibits an officer, regardless of rank, from conducting an internal affairs investigation, in whole or in part, that involves a member of the officer’s family or an individual with whom the officer has a close personal or business relationship;
 - 2. Sets forth specific and comprehensive requirements concerning the internal reporting of a potential or actual conflict of interest to the prospective conflicted officer’s supervisor, superior, or appointing authority;
 - 3. Sets forth specific and comprehensive requirements concerning the agency’s evaluation of the reported conflict of interest for the purposes of determining whether an actual conflict of interest exists;
 - 4. Sets forth specific and comprehensive requirements concerning measures the agency will take to prevent the conflicted officer from interfering with the internal affairs investigation;
 - 5. Addresses the circumstances under which the internal affairs investigation will be referred to another body because the agency cannot adequately manage the conflict of interest; and
 - 6. Complies with any applicable law, rule, regulation, policy, or judicial or regulatory order, including M.G.L. c. 6E, § 12, M.G.L. c. 149, § 185, M.G.L. c. 268A, and 555 CMR 1.00, 2.03(5), and 6.07;
- (p) Set forth specific and comprehensive requirements concerning the referral of a report against the agency and/or any of its officers to third parties, including:
 - 1. Any federal or state prosecuting authority, civil enforcement agency, or law enforcement agency of competent jurisdiction for prosecution as a criminal matter, commencement of a civil enforcement action, or initiation of an administrative agency proceeding; or

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2. Another body or individual because the original agency and its officers have a conflict of interest that cannot be adequately managed;
- (q) Set forth specific and comprehensive requirements and/or restrictions concerning communications about an internal affairs investigation, including communications regarding the steps in the internal affairs investigation process listed in 555 CMR 13.03(7)(l), to the extent appropriate, with:
1. The investigated officer, their immediate supervisor, the head of their agency, and/or the head of their collective bargaining unit, which shall address whether and when such information will be communicated to such persons;
 2. The reporter, which shall address whether and when such information will be communicated to such a person;
 3. The Commission, in accordance with the requirements of 555 CMR 1.00 and 12.00;
 4. A local civilian oversight board of competent jurisdiction, if one exists; and
 5. The public, which may include communications on the agency's website and social media and with media outlets;
- (r) Require the agency to collect, track, and analyze reports, whether positive or negative, regarding the agency and/or any of its officers on at least an annual basis to:
1. Identify trends in reports regarding the agency and/or any of its officers over time;
 2. Identify officers who have:
 - a. Been involved in a disproportionate share and/or high frequency of reports against the agency and/or any of its officers; and
 - b. Allegedly engaged in a recurring pattern or practice, regardless of whether reports against the agency and/or the officer alleging such a pattern or practice are sustained;

for the purposes of determining whether intervention would be beneficial to improving the officer's behavior and practices, and

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Procedures (DRAFT)

intervening to improve the officer’s behavior and practices or pursue disciplinary action when that is determined to be potentially beneficial;

3. Identify patterns, practices, or customs that are at issue in a disproportionate share and/or high frequency of reports against the agency and/or any of its officers, for the purpose of determining whether a change in any agency policy, sub-policy, provision, rule, or regulation would be beneficial, and making such changes when that is determined to be potentially beneficial;
 4. Identify best practices that should be replicated; and
 5. Issue to the public an annual summary of reports, whether positive or negative, submitted to the agency and/or any of its officers, which shall be maintained on the agency’s website and available on agency premises for inspection;
- (s) Include a sub-policy or provision concerning the internal inspection and auditing of the agency’s completed internal affairs investigations for the purposes of determining whether a change in any agency internal affairs policy, sub-policy, provision, rule, regulation, patterns, practices, or customs would be beneficial, and making such changes when that is determined to be potentially beneficial; and
- (t) Ensure that all officers are trained on the agency’s internal affairs and officer complaint investigation procedures policy in accordance with all applicable training requirements.

5b.



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 – Requirements for Agency Certification

Date: June 11, 2026

Under Massachusetts General Laws chapter 6E, sections 5(a)-(b), the Commission is directed to certify law enforcement agencies in at least eight areas. Chapter 6E, however, does not provide further instructions regarding agency certification.

Among those omitted instructions is a lack of guidance as to what the requirements are for agency certification. Namely, Chapter 6E does not address whether an agency need only institute written policies that meet the eight certification standards approved by the Commission or whether the Commission should require agencies to satisfy its obligations under all other sources of law in order to be certified by the Commission. It would therefore be advisable for the Commission to determine what the requirements are for agency certification.

The following are two proposals for the Commission's consideration:

Proposal 1: Agency certification requirements are limited to instituting written policies that meet the requirements set forth in the agency certification standards approved by the Commission.

This proposal represents a more limited scope of requirements for agency certification. Under this proposal, an agency would only need to institute written policies that meet the requirements of the certification standards approved by the Commission to be certified by the Commission; an agency's nonfeasance with its obligations under all other sources of law would not factor into the Commission's certification determination. This proposal, while limited, would hew closely to Chapter 6E's similarly limited directives concerning agency certification.

Proposal 2: Agency certification requirements include instituting written policies that meet the requirements set forth in the agency certification standards approved by the Commission, and satisfying all applicable statutory and regulatory obligations, whether originating from M.G.L. c. 6E or elsewhere.

This proposal represents a broader scope of requirements for agency certification. Under this proposal, an agency would need to, in addition to instituting written policies that meet the requirements of the certification standards approved by the Commission, institute policies, directives, and/or practices that comply with all applicable obligations under all sources of law, regardless of whether those obligations originate from Chapter 6E or elsewhere, to be certified by the Commission.¹

For example, under Massachusetts General Laws chapter 71, section 37P(d), an agency with at least one assigned school resource officer (“SRO”) is required to adopt, publish, and file a memorandum of understanding (“MOU”) that is, at a minimum, consistent with the model MOU developed by the Model SRO MOU Review Commission. Based on anecdotal reports, however, there are some agencies with at least one assigned school resource officer that have not adopted a MOU and some agencies that have adopted a MOU, but one that is not consistent with the model MOU developed by the Model SRO MOU Review Commission, despite the statutory obligations set forth in M.G.L. c. 71, § 37P.²

If the Commission were to adopt this broader scope of requirements for agency certification, the Commission would be able to shore up agencies’ compliance with other existing obligations as a condition to agency certification. Doing so would support the legislature’s goal of professionalizing and standardizing law enforcement throughout the Commonwealth. Doing so would also enable the Commission to fulfill its mission as the primary oversight authority of law enforcement in the Commonwealth; if the Commission were not to adopt this broader scope of requirements for agency certification, it is not clear how agencies’ nonfeasance with obligations under other sources of law would otherwise be addressed and remedied.³

¹ This proposal does not suggest that agencies need to affirmatively demonstrate compliance with all applicable obligations under all sources of law; rather, the Commission may consider adopting this proposal with an approach that presumes that all agencies are in compliance with all applicable obligations under all sources of law, but permits the Commission to deny, restrict, revoke, or otherwise take action against an agency’s certification based on the agency’s demonstrated non-compliance with an applicable obligation under another source of law.

² Indeed, the Commission received a public comment from Strategies for Youth (“SFY”) on June 3, 2026, describing agencies’ nonfeasance with M.G.L. c. 71, § 37P. A copy of SFY’s comment is attached at [Exhibit 1](#).

³ Even if the Commission were to adopt a limited scope of requirements for agency certification, that is not say that agencies would be relieved of their duty to comply with all other obligations under all other sources of law. The Commission is also, in its regulations concerning the maintenance, reporting, and audits of law enforcement records and information, authorized to examine agency compliance with various sources of law as part of an agency audit. 555 CMR 12.08.

With respect to the issues of noncompliance with the requirements of G.L. c. 71, § 37P, the Commission has, in its preliminarily approved agency certification standards, required agencies to broadly comply with any applicable law, rule, regulation, policy, or judicial or regulatory order. For example, in the preliminarily approved juvenile operations standard, the Commission has required agencies to “have a fully executed [MOU] with the local school

Furthermore, to the extent that Chapter 6E provides limited directives concerning agency certification, Chapter 6E's silence as to the remainder can also be interpreted to imbue the Commission with broad authority to establish the parameters of agency certification. Such an implicit grant would be consistent with the legislature's broad grant of powers to the Commission. *See* M.G.L. c. 6E, § 3(a) ("The commission shall have *all* powers necessary or convenient to carry out and effectuate its purposes, including, *but not limited to*, [those listed].") (emphasis added).

Recommendation: The Commission adopt Proposal 2, a broader scope of requirements for agency certification.

district that meets or exceeds the requirements of the Model [SRO MOU] developed by the Model [SRO MOU] Review Commission in accordance with M.G.L. c. 71, § 37P." 555 CMR 13.03(6)(o)(1). Furthermore, the Commission's regulation concerning specialized certification for school resource officers provides that an SRO's certification may be restricted if the SRO is not operating under a satisfactory SRO MOU and set of operating procedures. 555 CMR 10.13.

Therefore, to comply with the Commission's agency certification standards, agencies will be expected to comply with other obligations under other sources of law.