Massachusetts POST Commission
84 State Street, Suite 200, Boston, MA 02109

In the Matter of	)	Case No.
David J. Hanafin	)	Reference No. HAN-R2022-257134
MPTC User ID: 3430-3203	)	

Determination of the Executive Director

(Review of Division of Certification Decision Pursuant to 555 CMR 7.10(1))

On October 17, 2024, and August 27, 2025, the Massachusetts State Police ("MSP") submitted reports to the Massachusetts Peace Officer Standards and Training Commission ("Commission"), each one sustaining multiple allegations against Trooper David J. Hanafin ("Hanafin"). Following the 2024 investigation, on November 25, 2024, Hanafin agreed to forfeit fifteen (15) days of accrued leave. Following the 2025 investigation, on or around December 26, 2025, Hanafin and MSP agreed that he was to complete a [redacted], with [redacted] thereafter, and accept an 18-month suspension without pay.[1]

On June 25, 2025, the MSP as required by the Commission, submitted an application for recertification on behalf of Hanafin and all other officers whose certification was set to expire. MSP Trooper Michael P. MacDonald evaluated and attested to Hanafin's character and fitness on Hanafin's recertification application.

On January 6, 2026, the Division of Police Certification ("Division"), in its Notice of Decision on Application for Recertification ("Notice"), informed Hanafin that the Division declined to renew his law enforcement certification, as he did not possess the requisite good moral character and fitness for employment. See M.G.L. c. 6E, §§ 4(f)(1)(ix) and 4(i); 555 CMR 7.05.

On January 16, 2026, Hanafin submitted a petition for review by the Executive Director of the Commission.

On February 23, 2026, the Executive Director emailed Hanafin, noting that Hanafin's January 16, 2026 letter erroneously made two assumptions—that Hanafin's certification was not set to

[1] More specifically, Hanafin noted in his affidavit submitted to the Executive Director that this agreement was confirmed by the MSP prosecutor on December 26, 2025. Hanafin also notes that on January 16, 2026, the MSP suspended him without pay and advised his attorney that the Commission matter had to be resolved before the MSP would finalize the agreed upon disciplinary matter, but that the MSP would apply credit for time served from his suspended status towards the agreed upon 18-month period. See Affidavit, ¶¶ 56, 59.

expire in the summer of 2025, and that Hanafin's employer was required to provide a report to Hanafin about his character.[2]

The Executive Director invited Hanafin to resubmit a petition on or before March 16, 2026.

On March 16, 2026, Hanafin resubmitted his petition for review under 555 CMR 7.10(1). On April 3, 2026, the Division emailed the Executive Director, noting that the MSP had notified the Division that Trooper Hanafin had been suspended, and furthermore, that MSP had not yet submitted the full information about the length of the suspension or terms of the discipline to the Commission.

Pursuant to 555 CMR 7.10(1), I have reviewed the Division's decision declining to recertify Hanafin as a law enforcement officer, Hanafin's petition for review by the Executive Director, as well as the submissions considered in connection with the same.

Factual Findings

After reviewing the materials submitted and having conducted a careful review of the evidence in connection with this matter, I hereby find the following:

The MSP submitted two internal investigation reports to the Commission, one on October 17, 2024, which was dated September 26, 2024 ("2024 MSP Report"), and another on August 27, 2025, which was dated January 10, 2025 ("2025 MSP Report"). Both reports reflect that Hanafin had previously been suspended by the MSP, effective December 1, 2021, and that he remained suspended until August 28, 2023, when he was placed on restricted duty.[3]

The 2024 MSP Report

On September 26, 2024, MSP sustained charges that in June 2023 Hanafin was involved in a vehicular incident and improperly used his credentials. Hanafin had previously failed to turn in his Department-issued card ("MSP ID") to his Division Commander while he was suspended. For this finding, Hanafin was disciplined to forfeit fifteen (15) days of Accrued Leave.

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[2] 555 CMR 7.05(2)(c)(1) states that, "if an agency determines that it cannot find that an officer possesses good character and fitness for employment, the employing agency shall make a written report to the Commission and . . . simultaneously provide[d] to the officer . . . ." In this case, the MSP found and attested to Hanafin's good moral character, and thus the report was not required.

[3] Hanafin contends that he was wrongfully suspended following his refusal to undergo a vaccination due to a sincerely held religious belief. Hanafin Affidavit, ¶ 25. The 2025 MSP Report found that Mr. Hanafin was originally suspended (on December 1, 2021) for "an unrelated matter." 2025 MSP Report, pp. 16, 17, 18. Regardless, the Division notes that the underlying reason for Hanafin's 2021 suspension was not part of the Division's decision to deny recertification, and it is not part of my review now. See Notice of Denial of Recertification, p. 2.

1. As reflected in the 2024 MSP Report (MSP IAS2023-0024; Commission Complaint 6822), the MSP sustained allegations that on or about June 24, 2023, Hanafin: (1) left the scene of a motor vehicle crash involving property damage in Brewster, Massachusetts; (2) obstructed justice by misleading or hindering the Brewster Police Department's investigation into the accident; (3) presented an MSP ID and represented himself as a state police officer in an attempt to use that official position for personal gain; and (4) he did so while he was suspended by the MSP in violation of the MSP's rules and regulations.
2. As discipline for the IAS2023-0024 matter, Hanafin forfeited fifteen (15) days of accrued leave.

The 2025 MSP Report

The MSP's Certification Unit conducted a background investigation related to Hanafin's return-to-duty from the 2021 suspension. As reflected in the 2025 MSP Report (MSP IAS2023-0036; Commission Complaint 6829), the MSP sustained multiple, additional allegations of misconduct including misuse of credentials and improper Criminal Justice Information Services access during the period in which he was suspended.

3. The 2025 MSP Report reflects that Hanafin possessed and used the MSP ID for personal gain or consideration from law enforcement on seven (7) separate occasions while Hanafin was suspended from active duty by the MSP. The dates, locations, and circumstances are as follows:
    a. June 12, 2021, in Boston (Charlestown) after being stopped for speeding;
    b. June 26, 2022, in Wilmington or Andover after being stopped for speeding;
    c. September 17, 2022, in Boston (Charlestown) after being involved in a motor vehicle accident;
    d. November 5, 2022, in Boston after being stopped failing to stop at a red light;
    e. June 8, 2023, in Boston after being stopped for failing to stop at a red light;
    f. July 23, 2023, in Saugus after being stopped for a marked lanes violation; and
    g. August 10, 2023, in Somerville after failing to stop at a red light and colliding with another vehicle, causing his vehicle to roll over and resulting in personal injury to the other motorist.
4. In addition to the above instances where Hanafin provided his MSP ID to law enforcement officers while he was suspended, he also provided his MSP ID to an officer on November 12, 2023, in Bedford, Massachusetts, after being stopped for speeding after he had been placed back on active (restricted) duty.
5. Hanafin violated Department of Criminal Justice Information Services ("DCJIS") policy by performing queries on himself on five (5) occasions on: February 11, 2021; February 23, 2021; June 16, 2021; June 18, 2021; and September 1, 2023. Most of these occasions were close in time to when Hanafin had encounters with law enforcement.
6. Hanafin also improperly stored a firearm in his vehicle, and it was discovered by a towing company employee following a motor vehicle crash in Boston (Charlestown) on September 17, 2022.
7. The 2025 MSP Report reflects that, as part of the MSP Certification Unit's return-to-duty background investigation, Hanafin was required to complete a questionnaire that asked,

in part, whether he had "any contact with law enforcement" while he was suspended. The investigation in IAS2023-0036 found that Hanafin was untruthful in response to this question on the questionnaire because, but for his report of the Brewster incident above, he failed to report his numerous contacts with law enforcement. The MSP also found that he was untruthful during the investigative interview for IAS2023-0036, regarding why he did not report the other incidents.

8. On January 6, 2026, the Division issued its Notice that the Commission had decided against renewing Hanafin's certification as he does not possess the requisite good character and fitness for employment as a law enforcement officer.
9. On January 16, 2026, Hanafin petitioned for an Executive Director Review. In his filings, he notes that he was in the process of reaching an agreement with the MSP, wherein he had already completed a [redacted] and was prepared to accept an 18-month suspension without pay and with [redacted].

Hanafin's Procedural Claims

Next, I will address several arguments presented in Hanafin's memorandum dated April 3, 2026 ("Memorandum").

First, Hanafin argues that he "justifiably believed that the only thing preventing him from serving as an MSP Trooper was the unconstitutional enforcement of Executive Order 595, which violated his 1st Amendment right to freedom of religion by mandating that he receive a vaccination which violated his sincerely held religious beliefs." Memorandum, p. 3.

This is not relevant to my review. The Division's decision was not based on Hanafin's refusal to be vaccinated or his religious beliefs. It was based on his actions, which constituted multiple instances of similar or related misconduct as reflected in the investigative reports that the MSP submitted to the Commission. Hanafin engaged in misconduct while he was suspended from the MSP, and he has acknowledged this.

Second, Hanafin notes that "[o]n or about January 2022, the [MSP] mailed [Trooper] Hanafin his replacement licenses; however, they also included a replacement MSP ID in error. Hanafin did not request a replacement ID and did not know that the issuance of the replacement ID was made in error." Memorandum, p. 3.

Even if the MSP erroneously sent Hanafin a replacement MSP ID following the relinquishment of his original, Hanafin was still required to relinquish his MSP ID when he was suspended. He should have known that he was required to do so, and that he should not have used the erroneously issued replacement ID when he had his numerous contacts with law enforcement.

Third, Hanafin argues against the MSP's finding of "untruthfulness" based on Hanafin's completion of a questionnaire following his initial suspension. Memorandum, p. 5. Specifically, Hanafin contends that his interpretation of a question asking if he had "any contact with law enforcement" during his suspension was "honestly" limited to "real, existing, non-hypothetical investigations [he] was aware of."

This argument lacks merit. The pertinent question is not specific to criminal investigations. It asks about "any contact with law enforcement." See 2025 MSP Report, p. 19, ¶ 93. As such, it is difficult to imagine how Hanafin did not know that he should disclose his numerous contacts with law enforcement referenced in the Notice, and not just the one matter in Brewster.

Additionally, regarding Hanafin's claim in footnote 2 of the Memorandum that the MSP's question violated his Fifth Amendment right against self-incrimination, this too is not convincing. The questionnaire Hanafin filled out asked if he had "any contact with law enforcement." It does not ask troopers to "self-confess" as purported by Hanafin. It is appropriate and reasonable for a law enforcement agency to ask this question, particularly of individuals who are responsible for enforcing the laws themselves.

Fourth, Hanafin argues that the Division violated Massachusetts administrative law by ignoring MSP's attestation to his character. See Memorandum, pp. 6-7.

Hanafin asserts that the Division "substituted its own opinion about Hanafin's character and fitness over the opinion of his employing agency without articulating any rationale or reason for doing so." This argument fails to recognize that the Division's assessment of moral character is independent from an affirmative attestation by the agency. Although the Division considers whether a law enforcement agency attests to an applicant in its analysis of an officer's character and fitness, it is certainly not bound to accept a law enforcement agency's attestation. In addition, the Notice clearly provided the rationale and reasons for the Division's decision.

Fifth, Hanafin also argues that the Division violated Massachusetts administrative law because the Division's decision ignores its own guidance. See Memorandum, p. 7.

This argument is misplaced. The Requirements and Plan for Recertification of Certain Law Enforcement Officers posted on the Commission's website clearly states that it "applies only to officers who were automatically certified under the [Commission's enabling] Act and are coming before the Commission for recertification for the first time." Guidance, ¶ 1. Hanafin's 2025 recertification is at issue in this matter, not his initial 2022 application. As such, the Guidance is inapplicable.

Sixth, Hanafin argues that the Division improperly considered evidence from the 2024 MSP Report and the 2025 MSP Report to make its decision to deny his certification. See Memorandum, pp. 7-9.

This argument is meritless and misinterprets the clear language of the Commission's regulations, which reflect that subsections (b) and (c) of 555 CMR 7.05(4) do not apply when an officer "has engaged in multiple instances of similar or related misconduct[.]" See 555 CMR 7.05(4). The Division's Notice set forth ample evidence of a pattern.

Lastly, Hanafin further argues that the Commission should defer to the discipline imposed by his law enforcement agency, and that it "[u]nfairly [p]rejudiced" Hanafin in "bringing to a stop" the disciplinary agreement between him and his employing agency. Memorandum, pp. 9-11.

The Commission is not bound to accept a law enforcement agency's discipline. In this case, the law enforcement agency had not provided notice of any discipline prior to the Division's January 6, 2026 decision. The Commission does consider a law enforcement agency's discipline in determining whether to take action against an officer. In the present case, the Commission had not been notified of any such discipline. Even if it had been submitted, the Commission would not be bound by it.

Determination

The Commission's enabling statute sets forth minimum certification standards, which include "being of good moral character and fit for employment in law enforcement, as determined by the commission." See M.GL. c. 6E, §§ 4(f)(1)(ix) and 4(i). Regulation 555 CMR 7.05 describes the standards *for determination of good character and fitness for employment*. In particular, 555 CMR 7.05(3)(a) states, in part, that:

> The [Division] shall render an initial determination as to whether an officer possesses good character and fitness for employment, in accordance with any protocols adopted by the [C]ommission, upon giving due consideration to all information available to it including, but not limited to, the following:
>
> 1. An attestation that an officer possesses good character and fitness for employment and accompanying information;
> 2. Any report by an employing agency of the type described in 555 CMR 7.05(2)(c); and
> 3. Any response by an officer of the type described in 555 CMR 7.05(2)(d).
>
> (b) The division of certification may, to the extent reasonably possible, obtain additional information that may prove helpful in determining whether an officer possesses good character and fitness for employment.

Furthermore, pursuant to 555 CMR 7.05(4)(c):

> [U]nless there have been allegations that an officer has engaged in multiple instances of similar or related misconduct or protocols adopted by the [C]ommission provide otherwise, neither the employing agency nor the [Division] shall consider an allegation of a particular instance of misconduct, where . . . [t]he officer has complied, or is in the process of complying, with any disciplinary action or other adverse decision by an authority, in relation to the alleged misconduct, and the officer has not engaged in any similar conduct since the discipline or decision . . . .

I find that the Division was correct to deny Hanafin's application for recertification based on a lack of character and fitness.

However, given the new information submitted by Hanafin, reflecting that he has [redacted] and was preparing to enter into an agreement with the MSP for an 18-month suspension, I will give Hanafin the opportunity to address and cure the Division's concerns about his lack of character and fitness by complying with the following conditions:

- Provide documentation to the Division of a fully executed agreement with the MSP that Hanafin will serve a suspension at the agency level of at least 18 months. I acknowledge that, pursuant to Hanafin's Affidavit dated April 3, 2026, he has been serving an unpaid suspension since January 16, 2026, and that the MSP has agreed to apply credit for the time served to his suspension agreement. Hanafin is directed to provide said agreement within 90 days from this decision.
- Hanafin must also comply with the following conditions and provide documentation of his compliance with said conditions within 90 days:
  - [redacted];
  - Completion of ethics training; and
  - Completion of DCJIS training.

Based on my review of the applicant's petition, I hereby remand this matter to the **Division with an instruction to issue the applicant a conditional recertification contingent on his completion of his 18-month suspension and the other above-mentioned conditions.**

Failure to comply with these conditions may result in a final decision of denial.

The applicant must remain in compliance with the requirements of Chapter 6E of the Massachusetts General Laws and all regulations promulgated by the Commission for the duration of the applicant's employment as a law enforcement officer.

The Commission reserves the ability to revisit the matter of the applicant's certification if it receives new information that paints a materially different picture of the facts, in accordance with 555 CMR 7.09.

Enrique Zuniga
Executive Director

Date: June 26, 2026