



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

July 15, 2024

CHAIR

Margaret R. Hinkle

COMMISSIONERS

Lester Baker

Hanya H. Bluestone

Lawrence Calderone

Eddy Chrispin

Deborah Hall

Marsha V. Kazarosian

Charlene D. Luma

Rev. Clyde D. Talley

EXECUTIVE DIRECTOR

Enrique A. Zuniga

In accordance with [M.G.L. c. 30A, §§ 18-25](#), and [St. 2021, c. 20](#), as amended by [St. 2022, c. 22](#), by [St. 2022, c. 107](#), and by [St. 2023, 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 #52

July 18, 2024

8:30 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 913 5390 4494

- 1) Call to Order
- 2) Approval of minutes
 - a. June 20, 2024
- 3) Executive Director Report – Enrique Zuniga
 - a. Conclusion of the Bridge Academy
 - b. Certification Update
 - c. Disciplinary Records Update
 - d. Finance & Administrative Update
- 4) Legal Update – Randall Ravitz
 - a. Agency Certification Stakeholder Outreach – Annie Lee
- 5) Matters not anticipated by the Chair at the time of posting
- 6) Executive Session in accordance with the following:
 - M.G.L. c. 30A, § 21(a)(1), in anticipation of discussion regarding “the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, . . . or individual”;
 - M.G.L. c. 30A, § 21(a)(5), in anticipation of discussion regarding the investigation of charges of criminal misconduct;

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- 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 prior Executive Sessions.
- a. Reports of Preliminary Inquiry in the following cases:
- i) PI-2024-013
 - ii) PI-2024-029
 - iii) PI-2023-09-07-001
 - iv) PI-2023-04-13-008
 - v) PI-2024-003
 - vi) PI-2024-022
- b. Division of Standards request for approval to enter into Voluntary Decertification Agreement or Suspension Agreement in the following cases:
- i) PI-2023-07-12-002 and SU-2021-06-30-001
 - ii) PI-2023-09-14-003
- c. Division of Standards request for approval to conduct Preliminary Inquiries in the following cases:
- i) PI-2024-042
 - ii) PI-2024-043
 - iii) PI-2024-044
 - iv) PI-2024-045
 - v) PI-2024-046
- d. Approval of the minutes of the Executive Session of June 20, 2024

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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
June 20, 2024
8:30 am

Documents Distributed in Advance of Meeting

- May 22, 2024, Public Meeting Minutes
- Executive Director Report
- Legal Update

In Attendance

- Commission Chair Margaret R. Hinkle
- Commissioner Lester Baker
- Commissioner Lawrence Calderone
- Commissioner Deborah Hall
- Commissioner Marsha V. Kazarosian
- Commissioner Charlene D. Luma
- Commissioner Clyde Talley

1. Call to Order

- At 8:38 a.m., Chair Hinkle welcomed the public to the 50th public meeting of the Commission and called the meeting to order.
- Chair Hinkle took a roll call of the Commissioners present. Roll call proceeded as follows:
 - Commissioner Baker – Present
 - Commissioner Calderone – Present
 - Commissioner Ellison – Present
 - Commissioner Hall – Present
 - Commissioner Kazarosian – Present
 - Commissioner Luma – Present
 - Commissioner Talley – Present
- Chair Hinkle noted Commissioners Bluestone and Chrispin were unable to attend.

2. Approval of Minutes

- Chair Hinkle asked for a motion to approve the May minutes.
- Commissioner Talley moved to approve the minutes.
- Commissioner Kazarosian seconded the motion.
- The Commissioners voted as follows:
 - Commissioner Baker – Abstain
 - Commissioner Calderone – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes
 - Commissioner Luma – Yes
 - Commissioner Talley – Yes
 - Chair Hinkle – Yes
- The minutes were approved.

3. Executive Director Report – Enrique A. Zuniga

- Executive Director Zuniga provided a brief introduction of the new Commissioner Eddy Chrispin.
- Commissioner Chrispin is a Superintendent for the Bureau of Professional Development with the Boston Police Department. He was appointed by Attorney General Campbell to fill Commissioner Ellison's position.
- Executive Director Zuniga thanked Commissioner Ellison for all his contributions to the Commission. Chair Hinkle, Commissioner Kazarosian, Commissioner Hall, Commissioner Luma, and Chief Financial and Administrative Officer (CFAO) Rebello-Pradas also expressed gratitude to Commissioner Ellison for all the work he has done for the Commission.
- Executive Director Zuniga shared a PowerPoint presentation, which started with an update on the recertification process for officers with last names Q – Z.
- He reminded agencies that the deadline to submit recertification information is June 30, 2024. Agencies that need extensions must do so before the June 30th deadline.
- Shortly before the deadline, POST will publish a list of agencies that have not submitted certification information.
- The Division of Police Certification began processing applications and will send certification notices as early as July 1, 2024.
- Executive Director Zuniga provided preliminary certification numbers as of June 18th:
 - Expected Certification Requests (Q-Z): 4,143
 - Submitted Certification Requests: 2,315
 - Pending Certification Requests: 1,828
 - Number of Agencies with Information Submitted: 301
 - Number of Agencies with Information Pending: 77
- There were still a number of officers who needed to be submitted for recertification.
- Since the last report, the number of officers applying for recertification dropped from 4,236 to 4,143. There were 93 officers that did not apply for recertification.
- Executive Director Zuniga provided an update on the Catch-Up Project for complaints submitted between 1/31/2023 and 3/5/2024.
- POST reminded agencies multiple times that they need to log into the complaint portal to update and close out complaints.
- As of June 11th, around 27 agencies still needed to close out complaints or reports. The Division of Police Standards reached out to these agencies individually to remind them of the reporting requirement.
- The deadline to submit records without an extension has passed. POST will begin publishing the agencies not in compliance with the requirement.
- Executive Director Zuniga announced for the July 2024 database update, there will be some records that will be removed from the database pursuant to 555 CMR 8.06(4)(b)(13), which states that “information concerning an individual who is no longer serving as an officer who last received a certification more than three years earlier shall not be part of the public database.” July 1, 2024, will be the first instance for records being removed from the database per the regulation.
- An exception to this is for any officer who is decertified or disciplined by the Commission. Those records will remain in the database.

- For the July release, POST will start including the discipline imposed as part of the record. This information was publicly available on the “Decisions and Orders” page of the website, but now will also appear as part of the disciplinary records report.
- POST is in the process of procuring a business intelligence tool for Fiscal Year 2025. This will create a publicly available and searchable database.

4. Finance and Administrative Update – Chief Financial and Administrative Officer Eric Rebello-Pradas

- CFAO Rebello-Pradas provided an update on the Fiscal Year 2025 budget.
- He said POST is now in the Conference Committee phase of the budget development process.
- All six Conference Committee members were appointed on June 6, 2024. They will begin negotiating between the higher and lower number given by the House and Senate Committees on Ways and Means.
- Executive Director Zuniga forwarded letters of support for the higher budget number to the Conference Committee members.
- POST will also request a \$90,000 PAC (Prior Appropriation Continued) from the Executive Office for Administration and Finance. This will be a carryover of unspent funds from Fiscal Year 2024 to Fiscal Year 2025.
- The next step in the process is the release of the Conference Committee Report. Once the report is released, it will go to the legislature for a vote. This will likely occur in the first or second week of July. The report will then go to the Governor for her review.
- CFAO Rebello-Pradas reported with Fiscal Year 2024 closing in ten days, POST revised its spending estimate downwards by \$250,000. It has gone from about \$8 million to \$7.75 million. The latest treasurer’s report was included in the meeting packet.
- The revision was due to the overestimation of the total cost of Tableau licenses. There were also more savings due to the delayed hiring of three positions. These positions will likely be filled in the first quarter of Fiscal Year 2025.
- POST welcomed two interns to the Legal Division: Michael Brune and Noah Richardson. They are both students at the Boston University School of Law.
- The IT Division welcomed intern Max Smith, a computer science student at Brown University.
- There are open job postings for Deputy Director and Enforcement Counsel for the Division of Police Standards and a Paralegal and Counsel position for the Legal Division.
- Executive Director Zuniga provided an update on POST’s diversity metrics. The metrics were compared with diversity data from the state’s population and all state employees.
- This report separated employees that are required to file a Statement of Financial Impact to give a better idea of the makeup of senior management.
- Commissioner Luma asked if the metrics would look different if Commissioners were not included in the percentages. She said it would be more indicative of POST’s hiring practices if appointees were not included.
- Executive Director Zuniga said POST can do that moving forward to accurately represent its diversity metrics.

5. Legal Update – General Counsel Randall E. Ravitz

- General Counsel Ravitz introduced a new member of the Legal Division, Counsel Annie Lee.

- Counsel Lee presented possible approaches the Commission could consider for agency recertification.
- She conducted research into law enforcement certification programs and agency-driven licensing in the Commonwealth from agencies such as the Department of Public Health and Hospitals and the Department of Corrections and Correctional Facilities.
- She presented a framework that outlined the different parts necessary for an agency certification program and a summary of findings from other certification programs across the country. She also listed policy questions the Commission will have to consider as it develops a certification program.
- Agency certification is statutorily mandated pursuant to M.G.L. c. 6E, § 5(a). The statute directed the Commission to certify law enforcement agencies based on at least eight topics:
 - Use of force and reporting use of force;
 - Officer code of conduct;
 - Officer response procedures;
 - Criminal investigation procedures;
 - Juvenile operations;
 - Internal affairs and officer complaint investigation procedures;
 - Detainee transportation; and
 - Collection and preservation of evidence.
- She noted that the legislature directed the Commission to certify agencies in accordance with minimum standards that apply to all agencies. She stated this indicated that the legislature's intent was for the Commission to create flexible standards that work for all law enforcement agencies.
- Counsel Lee proposed the Commission consider developing a certification program starting with the eight topics discussed. The program will be rolled out in three phases: design, implementation, and enforcement.
- Other law enforcement agency programs in the country uniformly require agencies to meet over 100 standards. The legislature only mandated eight by statute. The Commission will have to decide whether the agency certification program should go beyond the eight statutorily mandated standards.
- In her research, Counsel Lee found that non-governmental certification programs like those run by CALEA (Commission on Accreditation of Law Enforcement Agencies) and MPAC (Massachusetts Police Accreditation Commission), have a tiered certification program. That means agencies have to meet at least a minimum number of requirements, but agencies can go above those and achieve higher levels of accreditation by meeting more requirements.
- Other governmental certification programs like those run by POST Commissions in Delaware, New Hampshire, Ohio, Virginia, and North Carolina, have presumptively mandatory standards.
- Other programs like Connecticut fall somewhere in the middle. It has a tiered program for the purposes of initial certification that aims to walk agencies through certification by subject. So, in year one, they achieve tier one certification. In year two they achieve tier two, which requires additional standards. Year three agencies achieve tier three, which have even more standards. By the end of year three, all agencies should have met tier three standards.

- This hybrid certification structure is seen in the Commonwealth. The Department of Corrections designates some standards as required and others as recommended.
- If the Commission decides to create a comprehensive agency certification program, it will need to decide how much flexibility agencies should have to participate in the program.
- Once the Commission defines standards, it will need to define compliance.
- Participation by agencies in the Commission's programs varies. This indicates different understandings of the Commission's role and authority with agencies.
- The agency certification process can serve as a reminder to agencies of their ongoing obligations to comply with all laws, rules, and regulations set forth by the Commission and MPTC (Municipal Police Training Commission).
- Based on her research from other agency certification programs, Counsel Lee said it is key to measure compliance by conducting independent assessments rather than relying on agency self-reporting.
- The assessment process in other states generally begins with a paper review of agency files, policies, and proof of compliance. This is the same way MPAC starts the compliance process.
- After the paper review is completed, assessors will come in-person to the agency to observe operations; tour facilities; interview staff; and in some cases, hold public comment sessions with members of the public for feedback.
- Based on what the assessor learns from the paper review and on-site visit, the assessor will create a written report of their findings and conclusions. The report will include a recommendation on whether or not the agency should be certified. The assessor is not the one who makes the final certification decision.
- The report goes up to the governing body like CALEA, MPAC, or POST Commission.
- With other POST Commissions, the report may go before the full Commission during a public meeting. The Commission then reviews the assessor's report and recommendations and publicly votes on whether to certify the agency.
- The Commission will have to define its role in the process. Whether it should make the ultimate certification decision or delegate the decision to the Executive Director or Director of Police Certification.
- The Commission will also need to consider the timing of agency certification. Whether it is completed on a rolling basis or after all the Commission's standards are met.
- Other jurisdictions generally set agency certification periods between 3 – 5 years. In the Commonwealth, agencies accredited by CALEA are certified for 4 years. MPAC certification is good for 3 years.
- Agency certification is not a one-and-done process. It is ongoing and needs to be met continuously. The Commission will need to periodically reassess agencies to determine their ongoing compliance.
- Counsel Lee stated that the Commission must determine how it can exercise its oversight abilities to ensure agencies are maintaining their compliance instead of achieving compliance right before the assessment begins.
- As the certification process is rolled out, it is important the Commission meets agencies where they are and work with them to meet the standards.

- Many agencies in the Commonwealth are already accredited or certified through nonprofit organizations (like MPAC and CALEA). The Commission should determine how to work with those agencies that participate in those programs.
- There are a total of 262 agencies that engage with CALEA and MPAC. That is over half of the agencies that would fall within the scope of the Commission's agency certification mandate.
 - Of those 262 agencies, 137 have already achieved accreditation or certification.
 - Most agencies that are already certified are through MPAC. Approximately 10 agencies are certified through CALEA.
 - The Commission will need to determine whether it will accept agencies' participation with MPAC and CALEA.
 - 120 agencies are in self-assessment, meaning they have not yet sought certification but are in the process or intend to seek certification later.
- The Commission should also consider whether to grant automatic waivers for the purposes of initial implementation.
- From her research, Counsel Lee said initial certification can take anywhere from 1.5 – 3 years. This can be due to lack of resources and funding.
- Some CALEA and MPAC standards require agencies to have certain facilities and equipment. It may take agencies time to request funds and procure equipment.
- The Commission must also consider sanctions for agencies that are not compliant.
 - Some sanctions the Commission can employ are warnings, reprimand, censure, probation, suspension, and revocation.
- The Commission should consider whether it wants to employ the same adjudicatory process for agencies.
- Agencies do not have a traditional due process right to certification in the same way officers do. Other licensing entities like the Gaming Commission, Department of Corrections, Department of Public Health, and the Department of Public Utilities all employ a judiciary process similar to the adjudicatory process the Commission uses for officers.
- Other states and certification programs generally require agencies to meet over 100 standards. Other states that have certification programs through their POST agencies or their equivalent require less standards but still far more than eight.
- Commissioner Kazarosian said agency certification seems to be something the Commission should do incrementally.
- Commissioner Luma asked Commissioner Baker and Commissioner Calderone about officer wellness and mental health standards in their agencies and if it is common practice for other law enforcement agencies to have standards addressing officer wellness.
- Commissioner Baker replied that mental health is a priority for every department, but everyone's policies are different. The Framingham Police Department is part of MPAC and has achieved one of the highest levels of accreditation. Not every department has the same level of funding, so the standards need to be achieved by departments of all sizes. He also said the standards should be created in a way that they can be implemented from the smallest to largest department without funding going away.
- Counsel Lee responded that the standards will address certain topics and will be flexible depending on an agency's circumstances.

- Commissioner Baker emphasized being realistic about setting standards departments can achieve within their budgets.
- Commissioner Talley agreed with Commissioner Kazarosian that the standards should be implemented in phases by setting a timeframe for when things should be completed.
- Commissioner Calderone recommended getting input from chiefs to get a sense of how the standards should be implemented and enforced. He recommended working with the leaders of departments across the Commonwealth to get input on how to best implement these standards.
- Counsel Lee welcomed feedback from the public, members of law enforcement, and police chiefs on agency certification.
- Commissioner Calderone suggested sending a letter to all agency heads to make sure they are aware POST is requesting their input on agency certification.
- Counsel Lee suggested extending the letter to other interested parties like the Attorney General's Office, the Governor's Office, and civil rights organizations like the ACLU or Lawyers for Civil Rights.
- Commissioner Kazarosian said POST's mandate does not include dealing with funding, so while that should be considered, it cannot drive the Commission's decision.
- Commissioner Baker clarified his earlier point that the Commission should keep funding in mind when making decisions that affect all departments.
- Chair Hinkle expressed reservations about taking on this task at the same time as other large projects. She asked if there were other states where the POST Commissions have handled agency certification as opposed to outside entities.
- Counsel Lee said other POST organizations such as Delaware, New Hampshire, New York, North Carolina, and Virginia do agency certification. As far as her research revealed, the Commonwealth will be engaging in the first mandatory certification program in the nation.
- The only mandatory standards are in New York, and they are related to hiring and reporting.
- Commissioner Calderone echoed Chair Hinkle's reservations with taking on too much. He suggested the Commission continue to discuss it while not moving too aggressively.
- Executive Director Zuniga added that the statute's language gives broad discretion to the Commission on implementing agency certification. He agreed that any standards the Commission adopts be enacted incrementally.
- Commissioner Hall expressed agreement with approaching agency certification incrementally. She asked if the Commission could discuss additional standards concurrently with the statutorily mandated eight standards. She expressed the importance of moving the project forward.
- Commissioner Calderone agreed the Commission should start with the eight requirements. He suggested submitting a recommendation for consideration in a future public meeting and getting feedback from outside organizations and chiefs.
- Executive Director Zuniga said MPAC and CALEA could act as force multipliers by providing feedback on the process.
- Chair Hinkle asked Counsel Lee if she had enough direction to move forward with the certification project.

- Counsel Lee said she understood the next steps included putting together language for the eight standards and bringing them up for discussion and review by the Commission. She will work with General Counsel Ravitz and Executive Director Zuniga to send a letter out to Chiefs and other organizations for feedback on the standards.
6. **Matters Not Anticipated by the Chair at the Time of Posting**
- The Chair indicated that she did not believe there were any matters not anticipated at the time of the posting of the meeting notice.
7. **Executive Session**
- The Chair raised the issue of moving into executive session in accordance with 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.
 - The Chair informed members of the public that the Commission would not reconvene its public meeting after the executive session. There was a motion by Commissioner Kazarosian, seconded by Commissioner Baker.
 - The Chair took a roll call vote on the motion. The Commissioners voted as follows.
 - Commissioner Baker – Yes
 - Commissioner Calderone – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes
 - Commissioner Luma – Yes
 - Commissioner Talley – Yes
 - Chair Hinkle – Yes
 - The motion unanimously carried.
 - The Chair informed members of the public that the Commission would not reconvene its public meeting after the executive session.
 - The Chair thanked the public, and the public meeting was adjourned at 10:10 a.m.

3.



Executive Director Report

July 18, 2024



Agenda

1. Completion of the Bridge Academy
2. Certification Update (Q-Z)
3. Disciplinary Records Update
4. Administrative Update
5. Upcoming Rollout of New Website

Bridge Academy



Background

- Chapter 253 of the Acts of 2020 required the successful completion of basic training program approved by MPTC for all officers
- At the time, there were ~3,500 reserve and part-time officers who had never attended basic academy training (800-hour training)
- EOPSS & MPTC proposed a one-time opportunity for reserve officers to attend a “Bridge Academy” (200-hour training plus a 2,400-hour work requirement)
- Bridge Academy was offered to those reserve officers with prior police work experience and only for the year in which their statutory certification was set to expire (according to their last name)

Bridge Academy



Completion

- June 30, 2024 marked the completion of the 3rd and final Bridge Academy
- Training program enabled 1,400 officers to be certified
- Approximately 300 officers remain conditionally certified until they meet the work requirement. Bridge Academy also requires 2,400 hour of work experience to earn the POST certification
- MPTC estimates that ~ 3,500 individuals were eligible to attend, so approximately 1,800 (51%) of individuals dropped off
- Bridge Academy was offered at no cost to officers. Sponsoring police departments were eligible for grant reimbursements

Certification Update



Certification Efforts (Officers with last name Q-Z)

- Submission deadline was June 30, 2024
- 389 agencies, with officers to be recertified, successfully submitted certification information
- 1 agency requested and was granted an extension before deadline
- Reconciling records and troubleshooting minor technical issues:
 - System generates unique certification number. Functionality modified for those renewing their certification
 - Purging individuals not in scope (correctional officers, dispatchers)

Certification Update (Q-Z)



Certification Efforts

- The Division has processed applications in real time and has sent notices in early July 2024

Certification Figures	Total	Processed	Pending
Expected Certification Requests (Q-Z)	4,121*	3,897	224
Agencies with information submitted**	389	388	1

* This total is less than reported initially (4,236) because Certification team has ascertained that 115 individuals have dropped off from the certification requirement given retirements and/or lack of bridge academy

** 44 agencies will not be submitting any officer for recertification (total agencies = 433)

Certification Update (Q-Z)



Preliminary Certification Results

Preliminary Certification Results	Subtotals
Certified	3,490
Certified / SRO	22
Conditionally Certified	260
Not Certified / Further Review / Suspended	11
Not Certified – On Leave	114
Subtotals	3,897
Being Processed / Pending Submission	224
Projected Total	4,121

Certification Update



Statewide Metrics (All Officers)

POST will begin reporting statewide metrics with a high degree of confidence

Sworn Officers currently at a Police Department *	Subtotals
Certified	19,235
Certified / SRO (including conditionally certified SRO)	397
Conditionally Certified	486
Not Certified/Further Review/Not Certified – On Leave	342
Suspended	28 **
Not processed by POST (no Cert #) ***	311
Total	20,799

* Excludes 623 individuals who resigned or retired after July 1, 2021

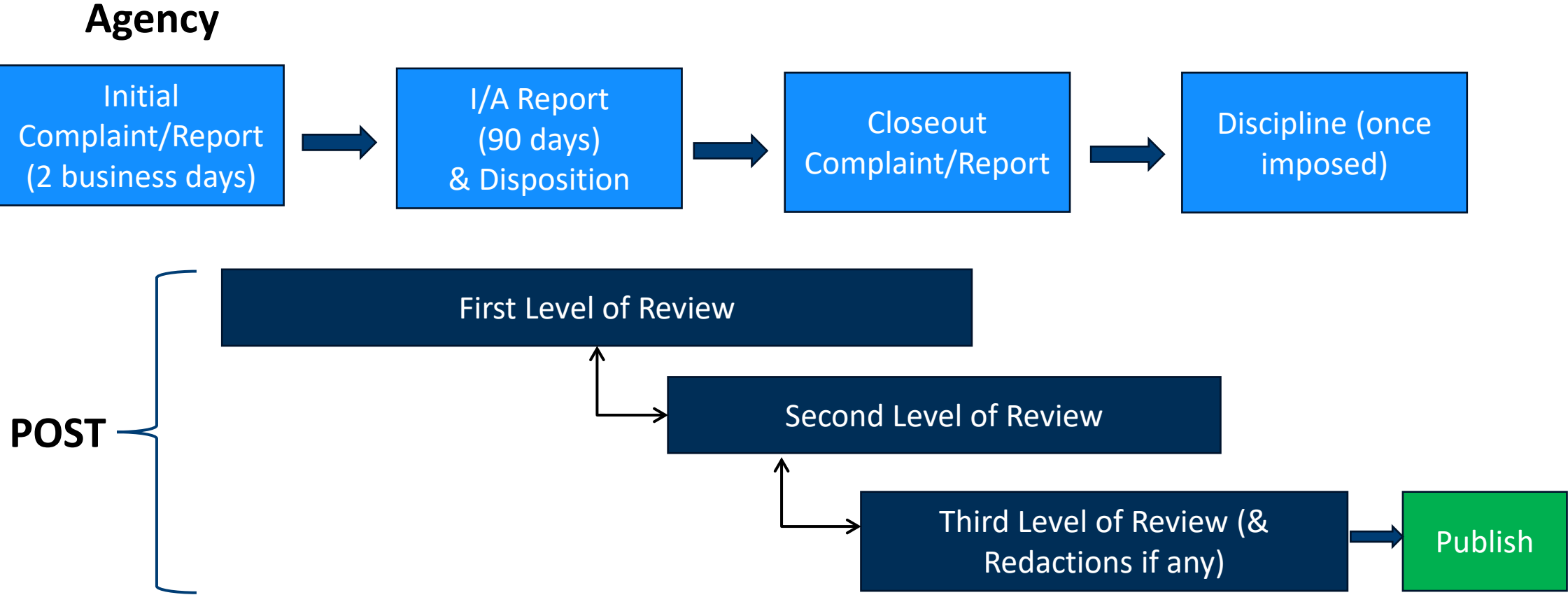
** Excludes 27 individuals whose certification is suspended, but are no longer working at a Police Department

*** Individuals who may not be in scope and/or have not yet received a certification number

Disciplinary Records Update



Flowchart for Complaint/Report Portal



Disciplinary Records Update



2023 Catch-Up Project

- 590 complaints for the period (1/31/23 – 3/5/24)
- 489 complaints/cases have been closed
- Only a subset of 489 will be published
- Cases where discipline is pending will not be published until discipline is administered
- POST will monitor and coordinate with agencies on those instances

Disciplinary Records Update



2023 Catch-Up Project

- 34 Agencies have 102 complaints that are past due. Those agencies are summarized below and will be noted in our website

Agency	# Cases	Agency	# Cases
Boston Police Department	42	Tyngsborough Police Department	3
Massachusetts State Police	11	Foxborough Police Department	2
Wareham Police Department	5	Mass Environmental Police	2
Brandeis University PD	4	Palmer Police Department	2
Lawrence Police Department	4	24 Agencies with 1 case	1
Salem State University PD	3		

Disciplinary Records Project



July 2024 Database Update

- 555 CMR 8.06 (4)(b)(13) Information concerning an individual who is no longer serving as an officer who last received a certification more than three years earlier – shall not be part of the public database unless individual has been decertified
- There are 205 individuals who were never certified by POST. These individuals have at least one disciplinary record
- Of those individuals there are 60 individuals who resigned to avoid discipline, are still out on leave or were terminated
- Approach will be to continue to include those individuals for five years after their separation

Finance & Administrative Update



Finance Update

- Preliminary numbers for cumulative Q4 are included in packet
- Will report final numbers in September meeting (after A/P period closes)

Hiring

- Promotion
 - Shaun Martinez – Deputy Director of Police Standards
- No new hires since June
- Pending Offers:
 - Enforcement Counsel
 - Counsel
 - Paralegal

Administrative Update



Rollout of New Website

- New URL www.mapostcommission.gov
- Prior URL's will re-direct to new site
- Published content uploads in real-time
- Refreshed design elements, graphics and content
- Better search capabilities for news, events and officer lists
- Ability to do real-time analytics and incorporate user feedback



Massachusetts Peace Officer Standards & Training
POSTC-comments@mass.gov
www.mass.gov/orgs/post-commission
617-701-8401

3a.

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor



Terrence M. Reidy
Secretary of Public Safety & Security

Robert J. Ferullo, Jr.
Executive Director

Municipal Police Training Committee

For Immediate Release

July 2, 2024



Milestone Achieved

Massachusetts Municipal Police Training Committee Achieves 2020 Police Reform Milestone and Announces Successful Conclusion of the Bridge Academy

Training Program Established Under Reform Law Certifies over 1,300 Officers

RANDOLPH: The Massachusetts Municipal Police Training Committee (MPTC) proudly announces the successful conclusion of the Bridge Academy, a pivotal initiative established under the 2020 landmark police reform law. This academy was designed to provide officers who did not previously attend a full-time police academy with the necessary training to meet the new certification standards set by the [Massachusetts Peace Officer Standards and Training \(POST\) Commission](#), an independent state agency established by police reform and tasked with implementing a mandatory certification process for all Massachusetts police officers.

The Bridge Academy, a comprehensive 200-hour training program developed by the MPTC, enabled local officers who were performing police duties and held the power of arrest but had not completed an 800-hour, full-time police academy to earn certification by bridging the gap between any prior training and the new uniform standards now required by law. This initiative has ensured that participating officers complete additional training to provide the skills and knowledge needed to serve communities across Massachusetts with the highest standards of professionalism, safety, and accountability.

The Bridge Academy launched registration in September 2021 and officially concluded operations on June 30, 2024. During the operational period, more than 1,300 officers completed all required academy coursework, including demonstrating 2,400 hours of on-the-job work experience, earning their POST certification, and demonstrating their commitment to upholding the standards of modern policing. Currently, 300 officers continue through the process of certifying 2,400 hours of work experience to earn their POST certification.

“The conclusion of the MPTC’s Bridge Academy reflects a significant milestone in the state’s ongoing efforts to uphold the highest training standards for police officers throughout Massachusetts and meet the requirements of the landmark 2020 police reform law,” said

Governor Maura Healey. “In collaboration with the Executive Office of Public Safety and Security, the MPTC continues to work closely with state and local partners to ensure its ability to fulfill police reform requirements, particularly in standardizing training for all law enforcement personnel statewide.”

“Today's announcement underscores our Administration's strong commitment to advancing requirements established by police reform and providing local law enforcement with world-class training opportunities. We commend the dedication of the MPTC team for standing up this academy and seeing it through to successful completion,” said **Lieutenant Governor Kim Driscoll.** “Additionally, we thank the POST Commission and our municipal partners for their continued collaboration. The 2020 police reform law continues to enhance accountability and transparency in law enforcement statewide. The Bridge Academy was integral to advancing police reform’s goals.”

"The successful completion of the Bridge Academy marks a significant milestone in our ongoing efforts to ensure uniform training standards for law enforcement across Massachusetts," said **Secretary of Public Safety and Security Terrence Reidy.** "This program has been instrumental in advancing the police community’s professional development and ensuring standardized training for those with the extraordinary responsibility of upholding and enforcing the law. I’d like to thank former Public Safety and Security Secretary Thomas Turco, MPTC Executive Director Robert Ferullo, and our many partners and stakeholders who made this accomplishment possible."

"By bridging the gap between prior training and the new standards, the Bridge Academy has provided our officers with crucial updates and skills necessary for modern day law enforcement," said **MPTC Executive Director Robert Ferullo (Ret. Police Chief).** "We are incredibly proud of the dedication shown by the officers who have participated in this program, and we are confident that they are now better equipped to serve their communities."

“The POST Commission is pleased with another major milestone of police reform and congratulates all those officers who graduated from the Bridge Academy. The high-quality training that MPTC provides will help officers be more effective, enable agencies to meet some of the demands placed on them, and ultimately enhance confidence in law enforcement and keep the public safe,” said **POST Commission Executive Director Enrique Zuniga.**

The Bridge Academy was provided at no tuition cost to student officers. Sponsoring municipal departments were also eligible for a \$3,000 grant reimbursement program for each officer who successfully completed the program through the Office of Grants and Research. A total of \$1 million was made available for this reimbursement program.

“The police reform law passed by the legislature affected all of the municipal police departments in my district, with many part-time officers being required to receive additional training through the Bridge Academy program. I voted for police reform in 2020 and believe it was my job to help see it through at the local level — by helping local departments and cities

and towns pay for the cost of additional training. I've been very pleased to work with Representative Natalie Blais, the MPTC, and EOPSS to secure funding for necessary Bridge Academy programs in this time of transition to ensure municipalities didn't have to shoulder training costs alone.” said **Senator Jo Comerford**.

“Municipalities across the Commonwealth recognized the importance of conforming with the standardized training requirement, but many were already stretched thin financially,” said **State Representative Natalie M. Blais**. “This funding was instrumental in ensuring that every officer in every city and town was able to receive the training necessary to ensure the highest standards of professionalism, safety, and accountability.”

"I am grateful for the Healey-Driscoll Administrations continued efforts to raise the standards of policing in the Commonwealth.” said **Senator William Brownsberger**. “The new training standards and certification process through POST strengthen the trust between law enforcement and the communities they serve.”

Beyond this significant step forward to improve and reform our standards for law enforcement personnel, the MPTC, in close coordination with the Executive Office of Public Safety and Security (EOPSS), continues to fulfill its mandate under police reform, including significant advancements:

- Establishing uniform training standards for members of law enforcement in Massachusetts.
- Completing a comprehensive review of 23,000 officer training records to collaborate with POST and the certification process.
- Significantly enhancing training capacity with new and geographically diverse training facilities across Massachusetts.
- Developing regulations and training curricula to equip officers in de-escalation, use of force, leadership, and stress management.
- Engaging national, state, and local community partner subject matter experts to provide advanced training in emerging and essential topics.

The MPTC extends its gratitude to the many partners across the Massachusetts State Legislature, partners within state government, law enforcement agencies, advocacy groups and the community for its support and drive to complete this important work. Additionally, the MPTC notes the remarkable efforts of all the agency instructors and staff who contributed to the success of the Bridge Academy. As we move forward, the MPTC remains committed to providing ongoing training and development opportunities to ensure that Massachusetts law enforcement officers meet the highest standards of excellence.

About the Municipal Police Training Committee

The Municipal Police Training Committee (MPTC) develops and delivers world-class training across the Commonwealth to 23,000 officers at every stage of their careers, ranging from basic

training for new officers to mandatory and specialized professional development training. An agency within the Executive Office of Public Safety and Security, MPTC is responsible for the statewide standardization of police training, delivering a modernized training program that aligns with national best practices, public expectations, and legislative mandates put forward by the 2020 police reform law. MPTC operates a network of convenient regional academies and authorizes independent academies that meet the Agency's standard of excellence.

In addition to municipal officers, MPTC ensures the highest training standards for MBTA Police Officers, Environmental Police Officers, UMass Campus Police Officers, Campus Police Officers, and Deputy Sheriffs performing Police duties and functions.

The MPTC operates Police Academies in Boylston, Haverhill, Holyoke, Lynnfield, Plymouth and Randolph. The MPTC also authorizes full-time academies with the Boston Police Academy, Cambridge Police Academy – Northeastern University, Fitchburg State University Police Program, Lowell Police Academy, MBTA Police Academy, Springfield Police Academy, Worcester Police Academy, Quinsigamond Community College, and the MA National Guard Civilian Academy.

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Massachusetts POST Commission

84 State Street, Suite 200 Boston, MA 02114

To: Commissioners
From: Enrique Zuniga
Date: July 15, 2024
Subject: Continuing disclosure of records of officers who resign in lieu of discipline.

SUMMARY

For the reasons stated in the discussion section below, unless the Commissioners vote to direct otherwise, POST will continue to include disciplinary records related to officers who resigned to avoid discipline within its public database. The period of inclusion for such records would be a minimum of 5 years after such resignation, instead of 3 years after the officer's last certification.

DISCUSSION

M.G.L. Chapter 6E, Section (4)(h), which concerns one of the internal databases that POST must develop, states that

the division of police certification, in consultation with the division of police standards shall create and maintain a database containing records for each law enforcement officer, including, but not limited to:

...

(11) the reason for any separation from employment, including, but not limited whether the separation was based on misconduct or whether the separation occurred while the appointing agency was conducting an investigation of the certified individual for a violation of an appointing agency's rules, policies, procedures or for other misconduct or improper action

....

POST maintains and currently publishes those records and denotes if an officer resigned or retired to avoid discipline.

555 CMR 8.00 are the regulations that govern the public databases and the dissemination of information. Specifically, 555 CMR 8.06(4) states that

Except as provided in 555 CMR 8.06(5), the public database shall not make available to the members of the general public . . .

[(b)(1)](i) information concerning any complaint or disciplinary matter that has not been resolved adversely to the officer, unless the matter was resolved in a manner that the Commission determines to have been unwarranted; [and]

. . .

[(b)](13) information concerning any individual who is no longer serving as an officer and who last received a certification more than three years earlier, but who has not been decertified

555 CMR 8.06(5) states that

The public database may be designed to allow particular individuals to access certain forms of information that are listed in 555 CMR 8.06(4) to the extent that the Commission is not precluded by law from making such information available to those individuals.

As I have reported to the Commission in recent meetings, a number of records are slated to come off the database for individuals that were automatically certified by statute (3 years ago).

Section 4(h)(11) of the statute, and the three sections of the regulations above are relevant for the analysis and discussion of a small subset of records--specifically, records regarding officers who resigned or retired to avoid discipline.

Throughout our analysis of historical disciplinary records, we have seen several instances in which an officer resigned during an investigation and/or resigned to avoid discipline. Although the regulations provide at 555 CMR 1.01(5) that, when that happens, the investigation is required to be completed, many of those instances result in no discipline imposed, because the individual has left the department. The Commission could determine that such “resolution” (resigning to avoid discipline) was unwarranted, in which case continuing disclosure of those records would not be contrary to 555 CMR 8.06(b)(1)(i). And, in any event, the Commission has discretion to make such information available pursuant to 555 CMR 8.06(5).

When an officer resigns to avoid discipline in one department, other departments (particularly prospective hiring departments) should be fully aware of the circumstances surrounding that prior resignation. While departments typically conduct background checks and corroborate prior experience and assignment information through steps like checking references, an individual may

be inclined to omit, minimize or mischaracterize key information surrounding past events in a new application, especially where discipline was never imposed (e.g., failing to mention a particular disciplinary matter that resulted in a resignation).

POST has implemented an internal process to ensure that, when we are notified of a resignation to avoid discipline, we note that fact in our records and verify any new applications for certification against those records.

However, if we only follow the part of the regulation that states that historical disciplinary records can come off the public database three years after certification, it is conceivable that agencies that regularly consult POST's disciplinary records as part of their hiring and due-diligence process may be unaware of the fact that an officer may have previously resigned to avoid discipline.

To be sure, a resignation to avoid discipline may not be dispositive for the hiring prospects of an officer. But inclusion of this information in the public database would help a hiring agency to verify information disclosed by an applicant and make informed decisions. Critically, it would enable a hiring agency to rapidly recognize an instance in which an officer omits key information.

Therefore, I believe the Commission should maintain records within the public database for individuals who resign to avoid discipline in accordance with the regulations referenced above.

The reason behind proposing that this information be kept for five years from the date of separation (resignation to avoid discipline), is that, when an individual officer has had a separation from active service for at least 5 years, they ordinarily are required to attend a full-time academy training under a section of the MPTC regulations, 550 CMR 3.04(3). The background check for applicants into a full-time academy is comprehensive, so it is safe to assume that information regarding a prior separation from a law enforcement agency will be available to a hiring agency, if an individual has had a break in service of five years or more.

Another reason to tie the inclusion of the disciplinary records to the date of separation (as opposed to three years after the last certification), is that the duration and timing of investigations and disciplinary proceedings vary significantly and certifications are prospective. An officer may find themselves facing discipline close to the end of their certification period. Conceivably, an individual could resign to avoid discipline late into the investigatory and disciplinary process (and close to the date of certification renewal), and altogether avoid those records from being published or have them published for a very short period.

As an alternative to making the summary disciplinary record of individuals who resign to avoid discipline available in the public database, the Commission could make such information available only to law enforcement agencies. That, too, is allowed under 555 CMR 8.06(5). However, this would necessitate additional coordination with agencies.

As another alternative, the Division of Police Certification could modify its current approach to reporting officer status. The division could begin including "expired" certifications in the

certification status reports and denote those officers who resigned to avoid discipline without the disciplinary record.

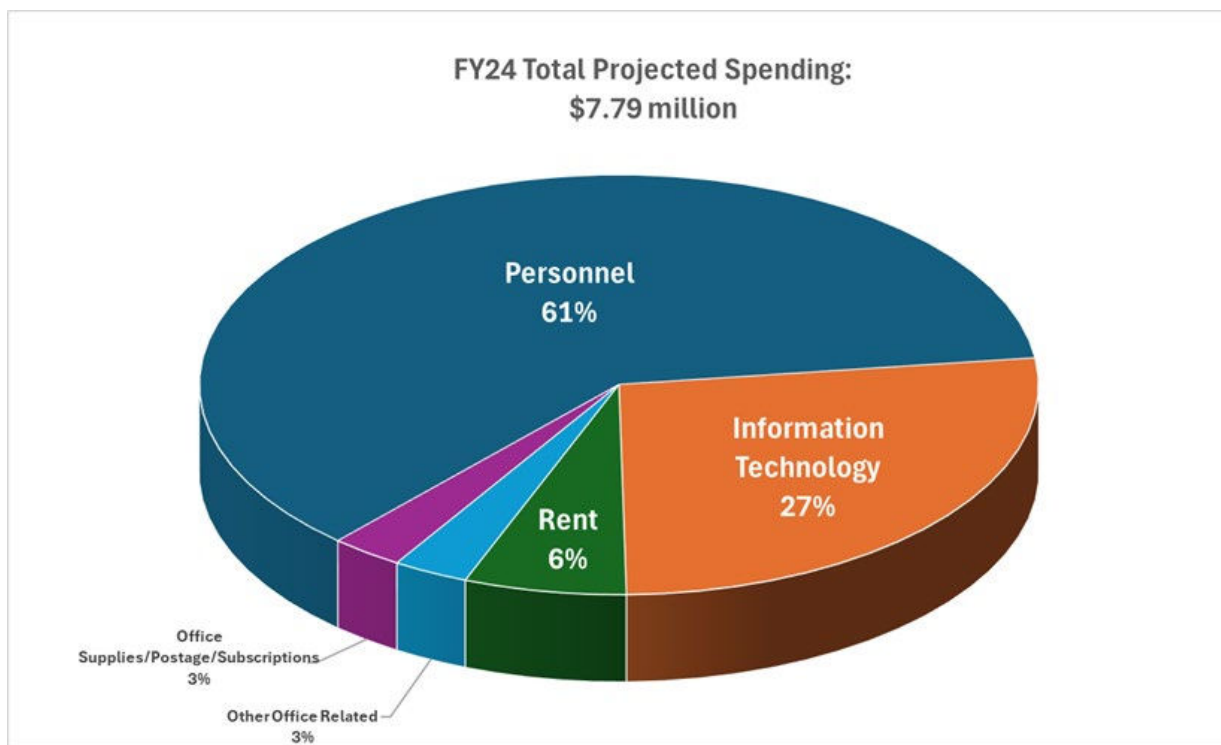
3d.



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

TO: Commissioners
FROM: Finance & Administration
CC: Enrique Zuniga
DATE: July 18, 2024
RE: FY24 Q4/Year-End Update



Spending

June 30th closed the fourth quarter and fiscal year of 2024. As we have been forecasting for months, all major categories of spending remain under budget (see attached *Treasurer's Report*).

- Total estimated spending for personnel is \$4.68 million.¹ This figure includes 45 employees, all nine commissioners, three hearing officers, and several interns. We began the year with a payroll projection of \$5.96 million. Annualized-to-actual payroll expenditures, as well as the onboarding pace, contributed to the vast majority of the savings.

¹ Includes the spending categories of payroll (AA & CC), reimbursements (BB), and payroll tax (DD).

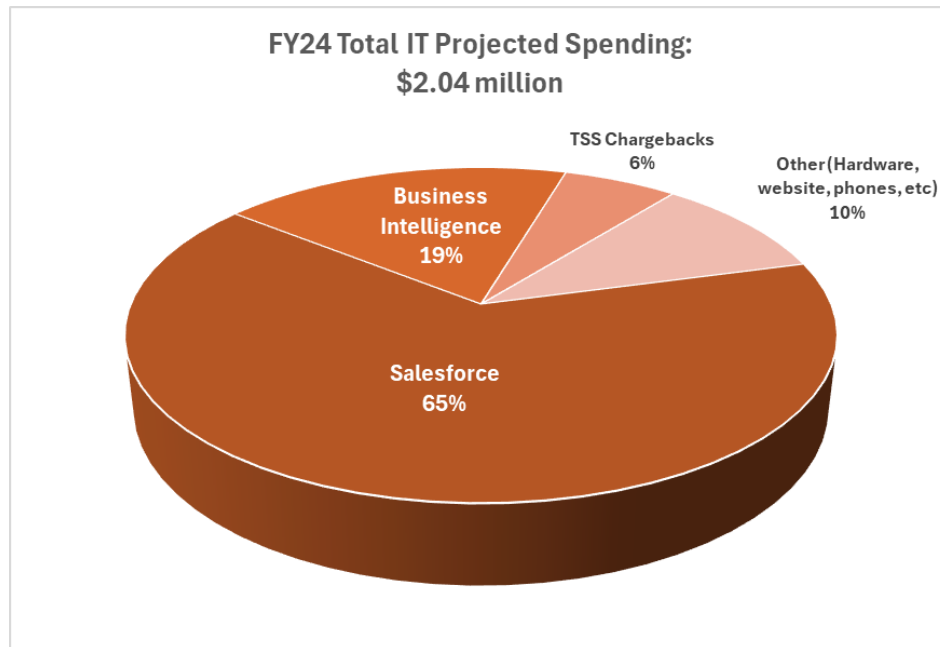
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mass.gov/orgs/post-commission

- The total budget for IT is trending almost 20% (or \$460K) below original projections, at \$2.04 million. Half of the savings is from Salesforce enhancements coming in below estimates, and most of the other half is from overestimating the cost for the Business Intelligence (BI) tool. Some savings are also attributable to moving two IT procurements to FY25 (100% of xFact, and 40% of outfitting the Ellison Room for hearings).



- Rent - being the third largest agency expense - is projected to be \$477K², and represents 6% of total spending.

A final accounting of FY24 spending will be presented in September, following close of the AP period.

Reversions

We are still holding our reversion figure at just under \$2 million. As alluded to earlier, the vast majority of this amount is from savings in payroll and IT. Included in this figure is approximately \$60K in final invoicing which is expected to be realized during the *Accounts Payable* period (July & August).

Hiring Status

We ended FY24 with a total of 45 employees.³ You will recall we had been estimating 48 for some time. Nevertheless, pending offers are already in place for the three outstanding positions (Enforcement Counsel, Counsel, and Paralegal). We expect to have them filled during the first quarter of FY25.

² Includes \$16K in electric utility expenses.

³ See attached FY24 Org Chart (Final).

Treasurer's Report: FY24

	FY24 FIN SP	JUNE			ANNUAL
	BUDGET	YTD EXPENDED	YTD INCURRED (open enc amt)	YTD COMMITTED	PROJECTED EXPEND TOTAL
EMPLOYEE COMPENSATION (AA) TOTAL	5,737,656	4,537,156	40,000	4,577,156	4,537,156
EMPLOYEE TRAVEL (BB) TOTAL	25,000	13,431	2,810	16,241	13,431
CONTRACT EMPLOYEES (CC) TOTAL	60,000	36,211	1,500	37,711	36,211
PAYROLL TAX/FRINGE (DD) TOTAL	142,265	96,498	0	96,498	96,498
OFFICE SUPPLIES/POSTAGE/SUBSCRIPTIONS (EE) TOTAL	242,300	148,150	65,725	213,875	213,875
FACILITY OPERATIONS (FF) TOTAL	51,000	28,308	7,444	35,753	35,753
OFFICE SPACE LEASE (GG) TOTAL	507,540	477,012	3,725	480,737	477,012
CONSULTANTS/LEGAL SERVICES (HH) TOTAL	239,101	110,815	59,285	170,100	145,715
SUPPORT/AUXILIARY SERVICES (JJ) TOTAL	40,000	21,220	3,333	24,553	24,553
OFFICE FURNITURE/FIXTURES/EQUIPMENT (KK) TOTAL	140,000	55,442	3,891	59,333	59,333
OFFICE EQUIPMENT LEASE (LL) TOTAL	5,440	1,638	139	1,778	1,778
OFFICE MAINTENANCE/REPAIRS (NN) TOTAL	89,050	75,694	25,000	100,694	100,694
INFORMATION TECHNOLOGY (UU) TOTAL	2,499,182	1,467,210	576,053	2,043,264	2,043,264
Grand Total :	9,778,534	7,068,786	788,907	7,857,693	7,785,272



FY24 Organizational Chart (Year-End)

June 30, 2024

45 Total Filled Positions

