



Massachusetts POST Commission

84 State Street, 2nd Floor, Boston, MA 02109

NON-ATTESTATION FORM

The Agency Head or designee (or appointing authority if completing this form for a chief) must complete this form if you **cannot** find that an officer possesses good moral character and fitness for employment in law enforcement. See 555 CMR 7.05.

You should use this non-attestation form if you

- have determined that an officer does not possess good moral character and fitness for employment, or
- decline to attest to an officer's good moral character and fitness for employment (for example, you are unable to or opt not to).

In either case, you must provide an explanation in the box below. One form per officer is required.

I _____ cannot attest that _____
(agency head/designee or appointing authority) (officer/applicant)
possesses good moral character and fitness for employment as a law enforcement officer.

Officer Information

Name: _____ Agency: _____
Title: _____ MPTC Acadis User-ID: _____
Address: _____
Email Address: _____
Telephone Number: _____ (primary number) _____ (secondary number)

Justification for Not Attesting to Good Moral Character and Fitness for Employment

Any assessment of whether an officer possesses good moral character and fitness for employment shall take into account on-duty and off-duty conduct. See 555 CMR 7.05(1).

In making such an assessment, you also may rely on

- questionnaires,
- any guidance or forms approved by the Commission,

- performance reviews,
- relevant education,
- specialized training,
- professional awards,
- achievements,
- commendations by law enforcement agencies or officials or others,
- instances of imposed discipline,
- patterns of misconduct, and
- any other evidence of past performance.

For each instance of specific conduct cited, please address:

1. Any discipline imposed or decision issued by an authority as a result of the conduct, or the reason(s) why there was no discipline or decision;
2. The extent to which the officer complied with any such discipline or decision;
3. Any similar conduct allegedly undertaken by the officer subsequent to any such discipline or decision; and
4. The dates of each instance of conduct, and imposition of discipline or issuance of a decision.

Where applicable, you should also address the following questions:

- (1) Did the officer violate state or federal law? If so, what specific laws were violated, when and where?
- (2) Did the officer act consistently with recognized standards of ethics and conduct adopted by the employing agency? If no, what specific ethical standards were violated, when and where?
- (3) Did the officer act consistently with recognized standards set forth in the Law Enforcement Code of Ethics and Standards of Conduct most recently adopted by the International Association of Chiefs of Police? If no, what specific conduct did the officer engage in that violated the Code of Ethics, when and where?
- (4) Is the officer worthy of the public trust and of the authority given to law enforcement officers? If no, why not?

Explanation: (Please provide a supplemental document if more space is needed.)

Agency Compliance Declaration

I have uploaded all documents relied on to support the responses noted above, which I understand may include: any guidance or forms approved by the Commission, performance reviews and any other evidence of past performance, instances of imposed discipline, and investigative reports.

I understand that the Commission will review this report and the documentation provided to evaluate the basis for the agency's determination and will make an independent determination of whether the officer possesses good moral character and fitness for employment.

I will simultaneously provide a copy of this report, and supporting documents, to both the officer and the head of the officer's collective bargaining unit at the following email addresses on the date noted on this form, and confirm receipt of the report:

Officer's email address: _____

Collective bargaining unit's email address: _____

Check one of the following:

I have administered and uploaded the Commission's *Questionnaire for Law Enforcement Officer Recertification* (if the questionnaire/oral interview has not been administered due to the officer's status as out on leave, this box should not be checked).

I have not administered the Commission's *Questionnaire for Law Enforcement Officer Recertification*, because the officer is out on leave.

Based on the information provided in this report, the supporting documents submitted to the Commission, and the legal requirements, I cannot attest that the officer named above possesses the requisite good moral character and fitness for employment as a law enforcement officer.

Agency Head/Designee or Appointing Authority:

(Signature)

(Printed Name & Title)

(Date)

Agency: _____

Email address: _____

Phone number: _____

Officer's Right to Respond

The officer has the right to submit a written response to the Commission at postccertification@mass.gov. See 555 CMR 7.05(2)(d). The officer must simultaneously provide a copy of the written response to the officer's employing agency.