



## **FAQs: Requirements for Recertification**

### **Who is eligible for recertification by July 1, 2023?**

Officers with the last names I-P employed in any police capacity on July 1, 2021, who have not already received a new certification (*from another agency or as a new academy graduate*). Officers on all types of leave are considered employed officers and should be included in this submission.

### **I have 2 reserve officers that work in another town. Do I need to attest to them?**

If another department has that officer hired full-time, that department should provide the recertification documents to POST. If they are hired part-time equally by multiple departments, the department they worked for first should do so. All departments that employ that officer should ensure that the officer is being “sponsored” by one department and complying with POST filings. The officer has the responsibility to ensure an attestation is being filed on their behalf as well.

### **What forms do we submit for recertification?**

All information will be submitted through the new POST online portal. The only forms that are required to be uploaded are those relative to non-attestations.

### **What documentation must be submitted in the event a Chief does not attest to an officer’s good moral character?**

The following must be uploaded to the portal: 1) A separate non-attestation signature page PER officer, and 2) the officer’s completed questionnaire.

### **Do we submit recertification information for officers on leave?**

Yes. I-P officers on any type of leave (military, medical, administrative, or other) should be included in the recertification submission.

### **I have an officer on paid administrative leave pending an investigation. Am I still able to attest to the officer’s good moral character and fitness for duty given their good work history and no other disciplinary history?**

Yes. If you determine, based on your knowledge of this officer, that they are of good moral character and fit for duty as a police officer, you may attest to them. The regulations on recertification (555 CMR 7.00) adopted by the Commission on June 8, 2022 elaborate on the

concept: In assessing good character and fitness for employment, an employing agency may take into account whether an officer adheres to state and federal law, acts consistently with recognized standards of ethics and conduct adopted by the employing agency or as set forth in the Law Enforcement Code of Ethics and Standards of Conduct most recently adopted by the International Association of Chiefs of Police, and is worthy of the public trust and of the authority given to law enforcement officers.

**Several members of my department have not been subject to a physical fitness exam through the MPTC but have had physical fitness exams through occupational health facilities prior to employment. Does the non-MPTC physical fitness exam qualify?**

Yes. Occupational health/medical evaluations are acceptable for the purposes of officer recertification, if they are related to employment in law enforcement.

**In the event an officer has not completed a psychological evaluation, or had one many years ago, will they be denied recertification?**

No. Answering “no” to this question will not result in a denial of recertification or suspension. POST wants to know if any such evaluation was ever conducted for officer employment. If an officer had an evaluation administered by your department, but you do not have a record on file, you may still answer “yes” for purposes of this recertification.

**Is there further clarification of what constitutes the exam approved by POST?**

Any exam that was administered during any of the academies would constitute an exam approved by POST. Those exams may be different depending on the type of academy (reserve, bridge, MPTC, MSP) but they all qualify.

**What happens if an officer refuses to complete the questionnaire?**

POST will consider that the requirement of an oral interview, M.G.L. c. 6E, section 4(f)(1), is not satisfied, and the officer will not be recertified.

**What is the difference between employees choosing not to answer one or two questions as opposed to employees who choose not to answer any of the questions? Is the former permissible, whereas the latter is not?**

POST will have to evaluate instances of not answering one or two questions on a case-by-case basis. As mentioned above, if an officer refuses to participate in the questionnaire, POST will consider that the requirement of an oral interview, M.G.L. c. 6E, section 4(f)(1), is not satisfied, and the officer will not be recertified.

**Can officers qualify their answers to the Questionnaire (i.e., “on the advice of counsel...”)?**

Yes, officers may qualify, explain and expound their answers to ensure they are truthful. If the advice of counsel is to not answer that question, the evaluator should note that. Individuals

should also note if answering the question might waive a privilege, protection or right recognized by law (as stated in the instructions).