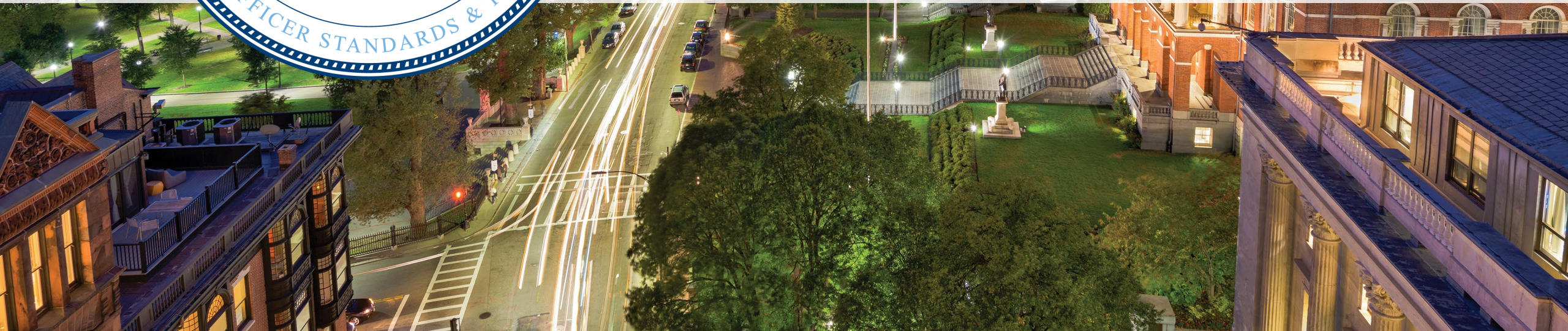




Submitting info to POST: A guide to complaint and incident reporting



Reports due to POST



Agenda

1. Notification to POST – 2 Business Days
2. What is Required to be Submitted?
3. Guidance on Submitting Complaints
4. Subsequent Submissions (Internal Affairs Reports and Dispositions)
5. Key Dates
6. Resources

Reports due to POST



1. Notification to POST – 2 Business Days:

- Agencies are required to submit credible complaints and incident reports to POST within 2 business days
- POST recognizes that these requirements represent a short timeframe
- LEA Portal is designed to facilitate timely reporting, tracking and manage extensions of time

Reports due to POST



2. Reportable Complaints:

- **Bias** regarding any of the protected classes
- **Use of Force**: All complaints of excessive force, including those causing serious injury or death, are presumed credible and must be reported. Further, any use of force prompting an internal affairs investigation is reportable, regardless of the investigation's outcome.
- Incidents that result in **Serious Bodily Injury or Death** including all officer-involved shootings (whether there was a complainant or not).
- **Unprofessional Conduct**: policy or procedure violations, conformance to laws, conduct unbecoming, untruthfulness, ethics violations, prohibited conduct, incompetence, unfitness for duty, etc.

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Minor Matters

- ***Unprofessional conduct is the only category with an exclusion for minor matters.***
- Minor matters include discourtesy, tardiness, inattention to detail, equipment or grooming violations and basic work rule violations.
- Minor matters do not need to be reported if the agency has implemented an informal resolution process (such as verbal counseling or letters of counsel). Documentation must be provided to POST upon request.
- ***Interactions with the public, ethics violations and the handling of finances are not considered minor matters and must be reported.***
- An agency shall forward any ***pattern of complaints*** alleging the misconduct of an officer to the commission.

Reports due to POST



Reportable?

Example 1:

An officer is alleged to have inappropriately discharged pepper spray into a crowd.

Reportable? **Yes**. All use of force complaints are reportable.

Example 2:

An officer is under internal investigation due to job performance issues, facing allegations of "conduct unbecoming" and "incompetence" from their Sergeant.

Reportable? **Yes**. This is categorized as "unprofessional conduct," and is an internal incident, even though it was not initiated by a member of the public.

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Reportable?

Example 3:

A matter not previously reported to POST (because it had not been deemed credible), subsequently results in a demand letter with a threat of or actual civil suit.

Reportable? **Yes**. In scenario described (i.e., demand letter or threat of civil suit), there is presumably new information that must be considered.

Even if there is no new information, report to POST.

As a general matter, all allegations should have a presumption of credibility.

Plus “interactions with the public” are not considered minor matters.

Reports due to POST



Reportable?

Example 4:

An officer accidentally drops their department-issued laptop, causing the screen to break. Per department policy, an investigation is required to document the damage.

Reportable? **No**. Equipment violations are considered minor matters.

Example 5:

An officer fails to submit a report within a specified timeframe (a minor violation of department rules).

Reportable? **No**. Basic work rule violations are considered minor matters.

Reports due to POST



Reportable?

Example 6:

While administering first aid to a civilian, another civilian interferes with an officer's efforts, which prompts the officer to be dismissive. A complaint is then filed alleging the officer was discourteous.

Reportable? **No**. Although this scenario involves an interaction with the public, it is not reportable. Discourtesy is considered a minor matter.

However, if the member of the public alleges Bias, Excessive Force or Actions that Resulted in Serious Injury or Death, the complaint is reportable to POST (those 3 categories have no exception for minor matters)

Reports due to POST



Reportable?

Example 7:

The department has a policy where officers must turn their Body Worn Camera (BWC) on when interacting with the public. An officer fails to follow procedure and does not turn their BWC on when responding to a call for service.

Reportable? **Yes**. Interactions with the public are not considered minor matters.

Example 8:

An officer violates the no-pursuit policy when chasing a suspect.

Reportable? **Yes**. Interactions with the public (whether or not they are suspected of wrongdoing) are reportable.

Reports due to POST



3. Guidance on Submitting Complaints

- Complaints AND Incident Reports can be internal or external, and come from any source at any time. There is no statute of limitations.
- Reports to POST include internal allegations and investigations of unprofessional conduct and any incidents that may result in discipline.
- All complaints, including anonymous complaints, should have a presumption of credibility.
- Agencies may take a reasonable amount of additional time beyond two business days to determine credibility.

Reports due to POST



3. Guidance on Submitting Complaints

For additional information on submitting information to POST including minor matters please see:

“Guidance to Law Enforcement Agencies and Prosecuting Offices Regarding 555 CMR 1.00 and 6.00” under “Regulations, Advisories and Guidance” on our website:
www.mapostcommission.gov

Reports due to POST



4. Subsequent Submissions (I/A and Dispositions)

- Per the regulations, Internal Affairs investigations must be completed within 90 days or ask POST for an extension.
- Immediately report to POST following the result of the investigation.
- Report to POST the disposition and/or discipline.
- Report to POST if a disposition or discipline is reversed or vacated in favor of the officer.
- If the Agency Head recommends decertification, please note that in your submission.



Complaint and Incident Reporting Key Dates

Reports due to POST



5. Key Dates

- Submit complaint or incident report within TWO business days
- Open an Internal Affairs Investigation within 14 days
- Finish Internal Affairs investigation or request approval for extension within 90 days
- Immediately forward results of an investigation upon completion, including associated developments such as discipline, resignation, termination, etc.
- POST can initiate revocation proceedings within one year of the incident or the agency's final disposition, whichever occurs first



Resources

MAPOSTCOMMISSION.GOV

[DISCIPLINE & STATUS RECORDS](#) ▾[CERTIFICATION](#) ▾[ABOUT POST](#) ▾[FOR LAW ENFORCEMENT AGENCIES](#)

To improve policing and enhance public confidence in law enforcement.

The Massachusetts Peace Officer Standards and Training (POST) Commission was established as part of the criminal justice reform legislation enacted in Chapter 253 of the Acts of 2020. Our mission is to improve policing and enhance public confidence in law enforcement by implementing a fair process for mandatory certification, discipline, and training for all peace officers in the Commonwealth.

[LEARN MORE](#)

ADDITIONAL RESOURCES

[Agency Report Submissions](#)[Regulations and Guidance](#)[About POST](#)

Law Enforcement Agency Reporting



Complaint and Incident
Reporting Overview



Resources for New Chiefs



Law Enforcement Agency
Portal Login



Disciplinary Records
Change Requests

Law Enforcement Agency Reporting

[Resources for New Chiefs](#)

[Complaint and Incident Reporting](#)

[Overview](#)

20,570 Certified
Officers



FACT SHEETS

[Key Reporting Dates Fact Sheet](#)

RELATED CONTACT

POSTCReports@mass.gov

FORMS

[Officer Status Update Form](#)



Complaint and Incident Reporting Overview

Note: This is for Law Enforcement Personnel Only. Members of the public who wish to submit a complaint about a police officer should **use the public complaint form**.

LEAs must report credible misconduct complaints or incidents to POST within **two business days** of receipt of complaint. Reports due to POST include any incident that results in discipline, an internal affairs investigation, or any allegations of prohibited conduct per **MGL Chapter 6E** as noted below:

- 1 **Bias**
- 2 **Excessive Use of Force** (All complaints of excessive force, including those causing serious injury or death, are presumed credible and must be reported. Further, any use of force prompting an internal affairs review is reportable, regardless of the investigation's outcome.)
- 3 **Serious Bodily Injury or Death** (including all officer-involved shootings)
- 4 **Unprofessional Conduct** (policy or procedure violations, conformance to laws, conduct unbecoming, untruthfulness, prohibited conduct, incompetence or unfitness for duty, etc.). Unprofessional conduct is the only category with an exception for minor matters as outlined below.

Minor matters need not to be reported as long as the agency has implemented an informal resolution process (i.e., verbal counseling or letters of counsel), of which documentation must be provided to POST upon request.

Minor matters include discourtesy, basic work rule violations, tardiness, inattention to detail, equipment or grooming violations, and similar infractions.

Law Enforcement Agency Reporting

[Resources for New Chiefs](#)[Complaint and Incident Reporting Overview](#)

20,040 Certified Police Officers

Events

FEB
10

9:30 AM - 11:00 AM
Pre-Hearing Conference in the Matter of James McCall

FEB
13

9:30 AM - 11:30 AM
Public Meeting



Reports due to POST



Resources on POST Website

- Regulations 555 CMR 1.00: Procedural Rules
- Regulations 555 CMR 6.00: Use of Force
- Guidance to Law Enforcement Agencies and Prosecuting Offices Regarding 555 CMR 1.00 and 6.00
- FAQ's
- Fact sheet
- Officer status change form
- Video content



 Username

 Password

Log in

[Forgot your password?](#)

<https://postcmassgov.my.site.com/s/login/>

Contact POST with questions



Any questions?

If in doubt, err on the side of submission or contact the Division of Standards:

Email postcreports@mass.gov

Call 617-701-8421

We are happy to help!