



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

December 15, 2025

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](#), by [St. 2023, c. 2](#), and by [St. 2025, 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 #71

December 18, 2025

8:30 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 934 4249 1294

- 1) Call to Order
- 2) Approval of Minutes
 - a) November 20, 2025
- 3) Executive Director Report – Enrique A. Zuniga, Heather E. Hall
 - a) General Update
 - b) MACOPA Request to form Advisory Committee
 - c) Request for Relinquishment of Certification – Stephen Gondella formerly of the Massachusetts State Police
- 4) Finance Update – Eric Rebello-Pradas
 - a) Budget Request to Administration & Finance for FY27
- 5) Legal Update – Randall E. Ravitz, Gerald Cahill
 - a) Guidance to Constables
 - b) Request to Remove Complaint 6616 from Public Database under 555 CMR 8.06(4)(b)12.

84 State Street, Suite 200
Boston, Massachusetts 02109

TEL: 617.701.8401

mass.gov/orgs/post-commission

MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- 6) Agency Certification Standards – Randall E. Ravitz, Annie E. Lee, George Boateng
 - a) Detainee Transportation
- 7) Matters not anticipated by the Chair at the time of posting
- 8) Executive Session in accordance with the following:
 - M.G.L. c. 30A, § 21(a)(1), to discuss “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), to discuss the investigation of charges of criminal misconduct;
 - 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, and M.G.L. c. 119, § 5E, to discuss matters relating to preliminary inquiries and initial staff review concerning whether to initiate such inquiries, and regarding certain criminal record information and the reporting of suspected child abuse or neglect; and
 - M.G.L. c. 30A, § 21(a)(7), combined with M.G.L. c. 30A, §§ 22(f) and (g), to discuss and approve prior Executive Session minutes.
 - a) Division of Standards request to enter voluntary decertification, suspension or disposition agreement in the following cases:
 - i) PI-2024-079
 - b) Division of Standards request for approval to conduct Preliminary Inquiries and/or impose a suspension in the following cases:
 - i) PI-2025-064
 - ii) PI-2025-065
 - iii) PI-2025-066
 - iv) PI-2025-067
 - v) PI-2025-068
 - vi) PI-2024-065
 - c) Request for Removal of Information from Website submitted by Donald Spaulding
 - d) Request for Relinquishment of Certification
 - i) John Landers formerly of the Northeastern University Police Department

MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

- e) Approval of the minutes of the Executive Session of November 20, 2025

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
November 20, 2025
8:30 a.m.
Via Zoom

Documents Distributed in Advance of Meeting

- October 16, 2025, Public Meeting Minutes
- Letter from the Executive Director to the Commissioners regarding the Massachusetts Chiefs of Police Association (MACOPA) Request to Form Advisory Committee
- Letter from MACOPA to the Executive Director
- Memo regarding the application for voluntary relinquishment of certification submitted by Kevin J. Dorr
- Presentation on the drafted law enforcement agency certification standards regarding criminal investigation procedures, juvenile operations, and collection and preservation of evidence
- Memo concerning the drafted law enforcement agency certification standards regarding criminal investigation procedures
- Draft agency certification standards regarding criminal investigation procedures, redlined
- Memo concerning the drafted law enforcement agency certification standards regarding juvenile operations
- Draft agency certification standards regarding juvenile operations, redlined
- Memo concerning the drafted law enforcement agency certification standards regarding the collection and preservation of evidence
- Draft agency certification standards regarding the collection and preservation of evidence

Commissioners in Attendance

- Commission Chair Margaret R. Hinkle
- Commissioner Hanya H. Bluestone
- Commissioner Lawrence Calderone
- Commissioner Eddy Chrispin
- Commissioner Deborah Hall
- Commissioner Marsha V. Kazarosian
- Commissioner Charlene D. Luma
- Commissioner Clyde Talley

1. Call to Order

- The meeting began at 8:36 a.m.
- Chair Hinkle took a roll call of the Commissioners present. The roll call proceeded as follows:
 - Commissioner Bluestone – Present
 - Commissioner Calderone – Present
 - Commissioner Chrispin – Present
 - Commissioner Hall – Present
 - Commissioner Kazarosian – Present
 - Commissioner Luma – Present
 - Commissioner Talley – Present

- Chair Hinkle noted that Commissioner Baker was absent from the meeting.

2. Approval of Minutes

- Chair Hinkle asked for a motion to approve the October 2025 minutes. Commissioner Kazarosian moved to approve the minutes. Commissioner Talley seconded the motion.
- The Commissioners voted to approve the October 2025 public meeting minutes as follows:
 - Commissioner Bluestone – Yes
 - Commissioner Calderone – Yes
 - Commissioner Chrispin – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes
 - Commissioner Luma – Yes
 - Commissioner Talley – Yes
 - Chair Hinkle – Yes
- The minutes were unanimously approved.

3. Executive Director Report – Executive Director Enrique A. Zuniga

- Executive Director Zuniga stated that he did not have a formal presentation but would provide a general update on several matters included in his written report.
- He began with a summary of recent outreach and engagement efforts. He stated the following:
 - On October 24, 2025, General Counsel Randall E. Ravitz served as a panelist at the Boston University School of Law program on state government and policy work. Executive Director Zuniga noted that the event was a valuable opportunity to engage with law students and early-career attorneys.
 - On October 29, 2025, Executive Director Zuniga attended the Massachusetts Police Accreditation Commission awards ceremony. At the event, 21 agencies were recognized for their achievements.
 - On November 6, 2025, Counsel Gerald H. Cahill represented the Commission at the Boston University School of Law Government Employer Fair, where he shared information with law students about the Commission’s mission and work.
 - Executive Director Zuniga also attended a virtual meeting of POST directors from the Northeast region of the International Association of Directors of Law Enforcement Standards and Training. He noted that these meetings are useful for learning about emerging challenges and best practices among comparable agencies.
- Executive Director Zuniga next reported that, at the end of October, the Commission received a letter from the firm of Werksman, Jackson & Quinn submitting a complaint concerning Boston Police Commissioner Michael Cox.
- He stated that the Commission was preparing a written response explaining that Commissioner Cox is not certified by the Commission.
- He further noted that it is the position of the City of Boston that Commissioner Cox serves as a civilian administrative head who does not perform police duties or exercise police powers.
- Executive Director Zuniga reminded the Commissioners of prior discussions regarding elected sheriffs and other administrative heads of law enforcement agencies, noting that

such positions may or may not fall within the Commission's jurisdiction depending on whether they hold police powers.

- He stated that the Commission had previously discussed efforts to clarify the statutory term "head of agency" and that staff will return to the Commission with further guidance on the scope of civilian oversight and certification requirements for administrative officials.
- Executive Director Zuniga then discussed correspondence from MACOPA.
- He stated that MACOPA had requested the formation of an advisory committee composed of police chiefs to provide input to the Commission during the early stages of policy development.
- Executive Director Zuniga expressed support for the idea and recommended that the advisory committee include a diverse group of stakeholders, not limited solely to police chiefs.
- He summarized the memorandum included in the meeting packet, which responded to MACOPA's letter and proposed parameters for the formation of such a group. He highlighted the following recommendations:
 - The committee should include members with a variety of professional backgrounds and perspectives.
 - The group should be treated as a subcommittee of the Commission for purposes of the Open Meeting Law, thereby ensuring transparency and opportunities for public participation.
 - The committee's role should remain advisory only, with no delegation of powers reserved to the Commission.
 - Membership should be limited to a manageable number of individuals or designees to facilitate quorum and efficient meetings.
- Executive Director Zuniga stated that, if the Commission agrees with the concept and parameters, staff will return at a future meeting with specific recommendations for membership and next steps.
- Executive Director Zuniga then welcomed questions or comments from the Commissioners.
- Commissioner Luma asked whether the requested meeting with MACOPA had already occurred.
- Executive Director Zuniga responded that the meeting had not yet taken place. He explained that MACOPA's letter proposed two potential dates, that the first date had passed, and that he had placed the matter on the agenda and tentatively scheduled the second date to discuss the committee's potential composition and related details.
- Commissioner Calderone asked whether the meeting proposed for the following Tuesday would be a meeting of the full Commission or a meeting between staff and the Chiefs Association. He stated he also had broader questions about the advisory committee concept.
- Executive Director Zuniga responded that the meeting was envisioned as a staff-level meeting with select POST staff, along with members of the Chiefs Association. He explained that he had not yet held the meeting because he wished to brief the Commission first and ensure there were no objections to the general concept.
- He clarified that the meeting was not intended to be a public meeting of the Commission.

- Commissioner Calderone stated that discussions with representatives of the Chiefs Association should occur before the full Commission in a public setting.
- He emphasized the importance of ensuring that all stakeholders have equal opportunity to provide input, noting that the Commission's existing process had worked well since the Commission's inception.
- Commissioner Calderone expressed caution about forming an advisory committee composed of hand-selected individuals, stating that such a group could create the perception that certain stakeholders have privileged access to staff or inside information.
- Executive Director Zuniga responded that one way to address Commissioner Calderone's concerns would be to structure any advisory committee as a subcommittee of the Commission subject to the Open Meeting Law, ensuring that its work occurs publicly and transparently.
- He noted that the Commission could solicit statements of interest from individuals or organizations wishing to participate, similar to prior processes used by the Commission.
- He added that a key practical consideration would be keeping the advisory committee to a manageable size so that it could reliably meet quorum. Larger committees, he noted, tend to encounter scheduling difficulties, which inherently limits the number of participants who can be included.
- Commissioner Calderone thanked Executive Director Zuniga for the clarification and reiterated his concerns. He emphasized that although the request from the Chiefs Association was likely well-intentioned, forming an advisory group composed of selected representatives could create the appearance that certain stakeholders have greater influence or access to Commission staff than members of the general public.
- He stated that he values the open, transparent process the Commission currently employs, which allows chiefs, the Municipal Police Training Committee (MPTC), union officials, civilians, and any interested party to provide input directly to the Commission in public meetings or through written submissions that are read into the record.
- Commissioner Talley asked whether the multi-state meeting Executive Director Zuniga attended was a governing body or simply a resource group, and whether it issues recommendations related to POST procedures.
- Executive Director Zuniga explained that the participants are POST agencies from other states. He stated that the meetings are informational rather than governing and provide useful insight into common challenges and approaches.
- Commissioner Talley thanked Executive Director Zuniga for the clarification.
- Commissioner Bluestone stated that she shared some of Commissioner Calderone's concerns about forming an advisory committee composed primarily of agency leadership. She expressed support for obtaining earlier input from chiefs when developing procedures and regulations with significant practical implications.
- She recommended, however, that if an advisory committee is created, its membership extend beyond chiefs to include a line-of-duty officer, a records clerk or records supervisor, outside stakeholders, and an individual with mental health or trauma expertise.
- Executive Director Zuniga thanked Commissioner Bluestone for her comments. He stated that, if the Commission agreed with this general approach, staff could solicit

expressions of interest from individuals and organizations that have engaged with the Commission in the past and return with recommended categories of membership at a future meeting.

- Chair Hinkle asked whether any Commissioners had additional questions or comments.
- She then stated that she recalled the issue of forming an advisory committee being raised early in the Commission's history by the Strategies for Youth organization. At that time, the Commissioners decided not to proceed with establishing such a committee.
- Chair Hinkle stated that the question now before the Commission is how it wishes to proceed in light of the current request.
- Chair Hinkle asked Executive Director Zuniga for his recommendation regarding next steps.
- Executive Director Zuniga recommended that the Commission consider forming an advisory committee consistent with the parameters outlined in his memorandum. He stated the following:
 - The committee should not be limited to leadership and should be subject to the Open Meeting Law.
 - The Commission could solicit expressions of interest from all stakeholders on the Commission's mailing list.
 - Staff could still meet with representatives of MACOPA to better understand their proposal, while ensuring that any resulting committee includes broader representation.
 - The goal would be to respond to the Association's request while addressing concerns raised by Commissioners about inclusivity and transparency.
 - Unless Commissioners opposed the idea, staff could begin gathering names of interested participants and return to the Commission with recommended membership.
 - As an alternative, the Commission could consider forming a subcommittee composed of Commissioners themselves, if there were sufficient interest and availability.
- Commissioner Bluestone expressed support for an advisory committee composed primarily of law enforcement representatives.
- She noted that the Commission already receives broad stakeholder input through existing public processes and that law enforcement is seeking earlier involvement in policy development.
- Commissioner Luma urged caution in forming such a committee. She emphasized the need to consider how creating a law-enforcement advisory group might prompt requests from other stakeholders and stressed the importance of being thoughtful about the purpose and implications of establishing any advisory body.
- Commissioner Calderone stated that he believes the Commission already provides ample opportunities for chiefs, unions, and rank-and-file officers to participate. He expressed concern that forming an advisory committee would undermine transparency.
- He recalled that the Commission previously rejected a similar proposal and questioned revisiting the issue.

- Commissioner Bluestone responded that the current request differs from earlier discussions because the Commission is now rapidly developing policies and audit procedures with substantial operational impact on departments.
- She stated that an advisory committee could provide useful early-stage input without decision-making authority and expressed support for the proposal.
- Chair Hinkle asked whether any Commissioner wished to make a motion or whether staff should further develop the proposal and return with additional information at a later meeting.
- Executive Director Zuniga stated that he had hoped there would be no objections to exploring the idea further but acknowledged differing views among Commissioners.
- He said staff could either proceed based on any vote or comments offered or alternatively meet with the Chiefs Association to gather more details and return at a future meeting with a more developed proposal and information on who may be interested in participating.
- Commissioner Luma expressed support for holding the meeting with the Chiefs Association to better understand the intent and rationale behind their request. She stated that additional context would allow the Commission to make a more informed decision and asked that staff report back on the meeting's outcome in December.
- Commissioner Calderone agreed that it was premature to take action and that no motion should be made at this time. He noted the need for more information and suggested that alternative models, such as a committee composed of non-law-enforcement stakeholders, might warrant consideration.
- Commissioner Chrispin cautioned that forming an advisory committee for chiefs could prompt similar requests from other groups and stated that while hearing their perspective is appropriate, he is not supportive of creating an advisory body for law enforcement.
- Chair Hinkle thanked the Commissioners for their questions and comments. She stated that Executive Director Zuniga should proceed with the meeting referenced in the Chiefs Association's letter and that the Commission would revisit the matter afterward.
- She noted that no vote would be taken at this meeting.
- Executive Director Zuniga confirmed that he was comfortable with this approach and would proceed as directed.
- Chair Hinkle then turned to the next item on the agenda, which was a request for relinquishment of certification.
- Executive Director Zuniga introduced Deputy Director of Certification Heather Hall, noting that she would present the request for relinquishment of certification.
- Deputy Director Hall provided a summary of the request to the Commissioners. She stated the following.
 - The Commission received an application for voluntary relinquishment of certification from Kevin Dorr. Consistent with the Commission's Policy on Voluntary Relinquishment of Certification, staff conducted the required evaluation and background checks.
 - Mr. Dorr began serving with the Haverhill Police Department in 1986.
 - He retired in good standing as a Lieutenant on July 25, 2016, and was rehired the following day as a part-time Special State Police Officer.

- Mr. Dorr was automatically certified as of July 1, 2021, and the Commission recertified him in 2022 for three years and again in July 2025.
 - Mr. Dorr seeks relinquishment because he wishes to obtain a private investigator's license.
 - The Division of Police Certification and the Division of Police Standards (Standards) reviewed his application and internal records and found no areas of concern.
 - Mr. Dorr's application was posted on the Commission's website along with the announcement for today's meeting to allow his employer or members of the public to submit comments.
 - Staff confirmed that no comments were received.
 - Based on the staff reviews, the Executive Director recommends that the Commission grant the application for relinquishment without additional terms or conditions.
 - Deputy Director Hall stated that she was available to answer any questions from Commissioners.
 - As there were no questions or comments, Chair Hinkle proceeded with a roll-call vote.
 - The request for relinquishment was unanimously approved.
 - Chair Hinkle then moved to the Legal Update. She noted that the issues raised by Counsel Cahill would be addressed at the Commission's December meeting.
- 4. Legal Update – General Counsel Ravitz, Counsel Annie E. Lee**
- Chair Hinkle turned the floor over to General Counsel Ravitz and Counsel Lee.
 - General Counsel Ravitz thanked the Chair and stated that Counsel Lee would present on the agency certification initiative.
 - Counsel Lee thanked the Chair and Commissioners and began her presentation. She stated that she would be presenting three agency certification standards for the Commission's consideration:
 - Counsel Lee began with the criminal investigation procedures standard. She stated the following.
 - The standard appeared in the meeting packet beginning at page 65 and was last before the Commission in September 2025.
 - The MPTC reviewed the revised standard at its October 2025 meeting and indicated it was satisfied and had no further feedback.
 - A public comment submitted by Strategies for Youth on the Juvenile Operations Standard included one point relevant to this standard, prompting a revision.
 - The proposed revision related to custodial interrogations of youth and would encourage officers to record all such interrogations by both video and audio.
 - This recommendation was intended to promote accountability and compliance with existing requirements governing custodial interrogations.
 - Although no statute mandates recording, the Massachusetts Supreme Judicial Court has expressed a preference for it, and the revision reflects that preference while acknowledging that agencies may have varying resource capacities.
 - Counsel Lee concluded by requesting preliminary approval of the criminal investigation procedures standard as presented and stated that she was available to answer any questions from Commissioners.

- Commissioner Bluestone asked Counsel Lee to clarify the definition of “youth” under the agency certification standards.
- Counsel Lee responded that, for purposes of the standards, a youth is defined as any individual under the age of 18.
- As there were no further questions, Chair Hinkle proceeded to a roll-call vote on preliminary approval of the revised standard.
- The request for preliminary approval of the draft criminal investigation procedure standard was unanimously approved.
- Counsel Lee next presented the revised juvenile operations standard for initial review.
- She noted that this was the first round of revisions and that she was not requesting preliminary approval at this meeting. She stated the following.
 - The standard appears in the meeting packet beginning at page 80 and was last presented to the Commission in June 2025.
 - Following that meeting, the MPTC, MACOPA, Strategies for Youth, the Chief Justice of the Juvenile Court, and Commission staff provided feedback.
 - The revisions before the Commission reflect those comments and include several new elements not included in the June draft.
 - The proposed revisions are as follows:
 - Officers would be directed to act in accordance with the agency’s officer response procedures policy, including provisions governing interactions with vulnerable persons, and to take the least intrusive effective action when responding to youth.
 - A new section addressing investigatory stops would incorporate by reference the requirements in the criminal investigation procedures standard.
 - Revisions to the arrest section would direct officers to act in accordance with bias-free policing principles and the agency’s code of conduct.
 - The temporary custody section would clarify that youth must remain under regular supervision, which may be accomplished by direct observation or video monitoring.
 - The transportation section would be revised to allow officers to transport a youth with a parent, legal guardian, or responsible adult under limited circumstances.
 - Provisions addressing youth affected by law enforcement actions directed at caregivers would be consolidated and would add a requirement to file a 51A report when warranted.
 - Rather than prescribing detailed directives for officers assisting Department of Children and Families (DCF) in certain matters, agencies would be required to adopt a sub-policy outlining officers’ roles, responsibilities, and limitations.
 - The immigration enforcement section would be revised to reference existing standards.
 - A new section would encourage agencies to coordinate with congregate care facilities to provide training tailored to the populations served at those sites.

- Another new section would outline officer responsibilities in responding to youth who are subjects of Child Requiring Assistance matters.
 - The revised draft would more comprehensively address officer-youth relationships by prohibiting sexual conduct, sexual harassment, and dating or romantic relationships with youth encountered through official duties, and by establishing parameters for communications with youth outside official duties.
- Counsel Lee concluded her presentation and invited questions from the Commissioners.
- Commissioner Luma thanked Counsel Lee for the presentation and raised concerns regarding the revised provisions requiring agencies to develop their own sub-policies on DCF matters and Child Requiring Assistance cases. She asked whether the Commission provides technical assistance or model language to support agencies in creating consistent policies.
- Counsel Lee responded that the Commission has not drafted specific policies on those topics but can direct agencies to external resources and consider providing additional guidance to promote greater consistency across departments.
- Commissioner Chrispin thanked Counsel Lee for the presentation and expressed concern regarding situations in which officers assist with removals of children pursuant to DCF directives or court orders.
- He noted that officers may be required to use some level of force in these circumstances and that relying solely on DCF to set expectations is insufficient. He stressed the need for clear guidance from the Commission, the courts, or the MPTC so officers understand what actions are appropriate and what limitations apply.
- Counsel Lee responded that the Legal Division could work to make this section more specific and would consider providing clearer guidance regarding officers' roles in such removals.
- Chair Hinkle echoed Commissioner Luma and Commissioner Chrispin in thanking Counsel Lee for her presentation and for the extensive outreach conducted during the revision process.
- Counsel Lee presented the collection and preservation of evidence standard and noted that this was the first time the draft had been brought before the Commission, and that she was not requesting preliminary approval and was seeking initial feedback only. She stated as follows.
 - The draft standard appears in the meeting packet beginning at page 119.
 - In developing the draft, staff reviewed a wide range of materials, including best-practice guidance from government working groups and law enforcement organizations, model policies from agencies within and outside Massachusetts, independent reports, and relevant statutes and regulations.
 - Those resources identified twelve key elements appropriate for inclusion in an agency evidence-collection and preservation policy.
 - The proposed elements are as follows:
 1. Agencies must ensure that all evidence collection and preservation practices comply with constitutional requirements.

2. Agencies must set requirements for collecting and preserving various types of evidence, identify when specialized personnel are needed, and outline procedures for requesting such personnel.
 3. Agencies must address evidence handling in common scenarios (crime scenes, exigent circumstances, consent searches, search warrants, and joint operations) and set requirements for equipment, packaging, labeling, and maintaining custody until evidence is secured.
 4. Evidence must be transported without undue delay, with policies addressing chain of custody, prevention of cross-contamination, documentation, and internal or external transfers.
 5. Agencies must set standards for evidence storage, including packaging, labeling, security measures, short- and long-term storage, routine inspections, and inventory controls.
 6. Agencies must address the submission of evidence for forensic analysis in accordance with applicable laws and State Police crime laboratory regulations.
 7. Agencies must adopt evidence-retention policies compliant with Massachusetts post-conviction and sexual assault evidence statutes.
 8. Agencies must establish when evidence may be relinquished, released, or disposed of; set any required notifications or authorizations; outline documentation requirements; and address procedures for sensitive evidence.
 9. Policies must specify responsibility for maintaining the chain-of-custody log, what information must be recorded, and when entries must be made.
 10. Agencies must maintain an evidence-tracking system that allows personnel to search for evidence and identify its precise storage location.
 11. Agencies must implement an internal auditing process covering stored and retained evidence, access records, and chain-of-custody documentation.
 12. Agencies must ensure that officers receive training on evidence collection and preservation consistent with MPTC requirements and applicable law.
- Counsel Lee concluded her presentation and stated she was available to answer any questions or address any feedback from Commissioners.
 - Commissioner Luma thanked Counsel Lee for the presentation and raised concerns regarding victims' and survivors' ability to access personal belongings or evidence after case disposition.
 - She noted that items belonging to victims are sometimes difficult to locate or return, which can impede closure for families. She suggested that the standard include explicit guidance on labeling and tracking property to ensure it can be returned to the rightful owner.
 - Counsel Lee responded that this consideration can be incorporated into the draft standard.
 - Chair Hinkle thanked Counsel Lee for her comprehensive presentation and noted that the material provided significant issues for the Commission to consider.

5. Matters Not Anticipated by the Chair at the Time of Posting

- There were no matters not anticipated by the Chair at the time of posting of the meeting notice.

6. Executive Session

- The Chair raised the issue of moving into executive session, in accordance with M.G.L. c. 30A, § 21(a)(1), to discuss the discipline or dismissal of, or complaints or charges brought against a public employee, a public officer, or an individual; under 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.
- Chair Hinkle stated that:
 - The Commissioners will be considering reports of preliminary inquiry in five cases.
 - They will be considering the request to enter a voluntary decertification, suspension, or disposition agreement in four cases.
 - They will be considering requests from Standards to approve a preliminary inquiry in two cases.
 - They will also be addressing approval of the minutes of the October 16, 2025, executive session.
- Chair Hinkle asked for a motion to enter executive session. Commissioner Kazarosian moved to enter executive session, and Commissioner Luma seconded the motion.
- Chair Hinkle took a roll call vote on the motion. The motion unanimously carried.
- She then informed members of the public that the Commission would not reconvene its public meeting after the executive session.
- Chair Hinkle thanked the staff members who presented at the Commission meeting and thanked the public for their interest in the Commission's work.
- The public meeting was adjourned at 9:52 a.m.

Summary of Matters Voted on by the Commission

- Approval of minutes of October 16, 2025, meeting.
 - The Commission voted to approve the minutes included in the meeting packet.
- Approval of Kevin Dorr's Application for Voluntary Relinquishment of Certification.
 - The Commission voted to approve Kevin Dorr's Application for Voluntary Relinquishment of Certification.
- Preliminary approval of the draft criminal investigation procedure standard.
 - The Commission voted to give preliminary approval of the draft criminal investigation procedure standard included in the meeting packet.

3a.



Executive Director Report

December 18, 2025

POSTC-comments@mass.gov
www.mapostcommission.gov
617-701-8401



Agenda

1. Major Milestones 2025
2. Major Projects & Initiatives for 2026
3. Administrative Update

Major Milestones of 2025



- Hired and on-boarded 6 individuals in 2025, bringing POST's total number of employees to **50**
- Enhancements to technology solution (Salesforce) for Certification and Standards (Disciplinary Information)
- Implemented new workflows and categories of Certification: Restricted, Expired
- Processed **562** new and **7,913** recertification applications (for a total of 8,475 BLA's) and began implementing a Birth Month Expiration Date
- Processed and verified **23,083*** records of officers (including in-service training)

Major Milestones of 2025



- Monthly Releases of Disciplinary Records
 - 2,269 allegations / 978 complaints first published in 2025
 - 9,102 total allegations / 5,444 complaints currently published
 - Started providing “Complaint Summaries” on newer cases to increase data quality
- Presented 160 instances of disciplinary cases* to the Commission in Executive Session (compared to 152 cases in 2024)

* “Case” refers to:

- (a) Request to Open a Preliminary Inquiry
- (b) Report of a Preliminary Inquiry
- (c) Request to Suspend an individual
- (d) Request to Approve a Disposition Agreement

Major Milestones of 2025



- Issued and published 64 Decisions & Orders (compared to 52 in 2024 and 19 in 2023)
- Conducted 8 hearings and 21 pre-hearings (4 and 22 respectively in 2024)
- Received & responded to 854 public complaints; ~16 new complaints weekly (compared to 18/week in 2024)
- Received and processed 985 complaints & reports from Agencies; ~19 new reports weekly (compared to 10/week in 2024)
- Additional 881 complaints screened out (insufficient data, not within mandate, duplicate or existing)

Major Milestones of 2025



- Received and responded to **313** Public Records Requests (172 for 2024)
- Multiple presentations on standards for agency certification
- Multiple draft regulations & internal advisories
- New policies that merit new workflows (i.e., Relinquishment of Certification)

Major Projects & Milestones for 2026



- Increasing Disciplinary Cases
 - PI Tracker has currently 85 open cases (2024: 77 cases)
 - Closed 78 cases November 2022 – November 2024
 - Closed 63 cases from November 2024 – November 2025
- Certification, New Process & Regulations
- Streamlined Process for Submitting Complaints & Other Changes to 555 CMR 1.00
- Planning & Development of LEA Auditing Program
- Setting the Stage for Internal Audits (Self-Audits)

Major Projects & Initiatives for 2026



- Business Intelligence Tool (Tableau)
- Letters of Commendation
- Agency Certification Standards & Regulations
- Use of Force Form & Reporting
- Need for analytics and trending on data collected to inform policy
- Mentoring Program

Major Projects & Initiatives for 2026



Takeaways for Next Year

- Budget growth is plateauing, work is increasing
- Continued focus on efficiencies:
 - Leverage to agencies via regulation and guidance
 - Improve workflows and continue developing SOP's, templates and coordination
 - Continue technology development on Salesforce, including the managed use of tools like AI

Administrative Update



Human Resource Update

- Welcome New Members:

 - Division of Police Standards

 - Ed Rodrick
 - Mike Posanka

- Open/Posted Positions:

 - Records Access Officer



Massachusetts Peace Officer Standards & Training
POSTC-comments@mass.gov
www.mapostcommission.gov
617-701-8401

3b.

ORGANIZED
NOVEMBER 3, 1887



INCORPORATED
MAY 2, 1949

EXECUTIVE DIRECTOR
CHIEF MICHAEL J. BRADLEY, JR. (RET.)
GENERAL COUNSEL
ERIC R. ATSTUPENAS, ESQ.

BUSINESS OFFICE
353 PROVIDENCE ROAD, SOUTH GRAFTON, MA 01560
TEL: (508) 839-5723 / FAX: (508) 839-3702

E-MAIL:
OFFICE@MASSCHIEFS.ORG

2025 OFFICERS

President
Chief Christopher D. Delmonte
Bridgewater

1st Vice President
Chief Shane D. Woodson
Southbridge

2nd Vice President
Chief Robert P. Pistone, Jr.
Haverhill

3rd Vice President
Chief Cara Rossi
Ashland

Sergeant-at-Arms
Chief Deanna Strout
Dalton

Treasurer
Chief Normand A. Crepeau, Jr. (Ret.)
Grafton

EXECUTIVE COMMITTEE

Chief Eric P. Gillis
Agawam (Past President -2024)

Chief Thomas W. Fowler
Salisbury (Past President - 2023)

Chief Brandon Esip
Bourne (Barnstable & Islands)

Chief Stephen E. O'Brien
Lenox (Berkshire)

Chief Brian M. Clark
Norton (Bristol)

Chief Russell M. Stevens
Hamilton (Essex)

Chief John P. Paciorek, Jr.
Deerfield (Franklin)

Chief Robert Stocks
Longmeadow (Hampden)

Chief Gary Thomann
Pelham (Hampshire)

Chief Jack D. Buckley
Medford (Major City Chiefs)

Chief James G. Hieks
Natick (Middlesex)

Chief Ryan M. Columbus
Tewksbury (Middlesex)

Chief Jeffrey J. Bukunt
Avon (Norfolk)

Chief Jason A. King
Mattapoissett (Plymouth)

TBD
(Suffolk)

Chief Michael Bennett
Templeton (Worcester)

Chief Daniel C. Wolski
Winchendon (Worcester)

Chief Robert A. Barrows
Bunker Hill Community College
(Campus)

Life Member
Chief Loring Barrett (Ret.)
Ashburnham

In Unity There Is Strength

December 3, 2025

Enrique Zuniga, Executive Director
Peace Officer Standards and Training Commission
84 State Street, 2nd Floor
Boston, MA 02109

Dear Executive Director Zuniga,

Thank you again for the opportunity to meet on November 25th to discuss the Massachusetts Chiefs of Police Association's (MCOPA) recommendation to establish an advisory committee to support POST-C in the early stages of policy and regulation development. We value your candid engagement and the thoughtful discussion regarding the Commission's priorities. We appreciated the open dialogue and your willingness to explore a structure that would enhance the quality and operational grounding of the Commission's work.

As we noted during our meeting, MCOPA is not seeking special treatment, decision-making authority, or any role that could be perceived as compromising the independence or neutrality of POST. Our intent is to help address operational and subject-matter gaps that naturally arise in statewide policy development. Because our association includes members from Massachusetts Major City Chiefs, the Law Enforcement Policy Group, campus police leadership, accreditation professionals, and subject matter experts representing many areas of policing, we are well-positioned to identify qualified and diverse representatives who can provide informed guidance at the outset of policy development. This would strengthen POST's ability to implement directives that reflect real-world operational realities, contemporary training practices, and the perspectives of leadership and frontline personnel. Importantly, a collaborative approach will also help ensure strong support and "buy-in" across all levels of policing. This type of structured input early in the process would reduce downstream revisions, strengthen implementation, and enhance clarity for agencies statewide.

MCOPA is offering this assistance because we are consistently engaged in state-level policy development and implementation. We are frequently designated by statute to recommend or appoint members to statewide committees where subject-matter expertise is required, and we employ a full-time Executive Director and General Counsel who work with agencies daily on policy and compliance

matters. This advisory committee would operate as a technical working group focused on transparent collaboration, practical recommendations, and alignment with POST-C's mandate. It is not intended to function as a political or advocacy body.

Outlined below is the recommended structure for the proposed advisory committee:

Proposed Advisory Committee Composition

POST Liaison:

Executive Director or designee (serves as chair or coordinating lead)

Municipal Police Chiefs:

One representative from a major city agency

One representative from a mid-size agency

One representative from a small agency

MCOPA General Counsel

Massachusetts State Police:

One command level officer

One SPAM representative

Campus Police:

One college or university police chief representing either a public or private institution

Labor Organizations:

One representative from a large labor organization

One representative from a mid-size labor organization

Subject Matter Experts and Trainers (no minimum rank required):

One use of force expert

One police practices expert

One evidence and procedures expert

One behavioral health specialist

One active shooter and critical incident specialist

One accreditation specialist

One juvenile issues specialist

One detainee and prisoner handling specialist

One biased policing specialist

Quorum:

A majority of members present

Members would serve without compensation and at the pleasure of the Commission.

MCOPA respectfully requests that POST consider formally establishing this advisory committee and scheduling a follow-up meeting to discuss next steps and any refinements needed to align its structure with Commission priorities. Items for discussion may include the final scope and structure of the group, expectations for workflow, meeting frequency, coordination with POST staff, and the process for identifying and appointing members. We would also welcome guidance on any guardrails the Commission wishes to establish to ensure the committee's work is clearly defined and appropriately scoped.

We believe this advisory committee would meaningfully support POST's mission by ensuring that policies are practical, implementable, and grounded in best practices that enhance professionalism and public trust.

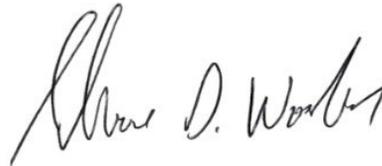
We look forward to continuing the conversation and stand ready to assist in whatever manner will best support the Commission's work. Thank you again for your time and collaboration.

The Massachusetts Chiefs of Police Association, Inc.

By and through:



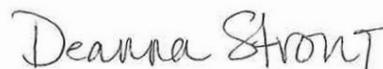
Chief Christopher D. Delmonte
President
Massachusetts Chiefs of Police Association



Chief Shane D. Woodson
1st Vice President
Massachusetts Chiefs of Police Association



Chief Cara Rossi
2nd Vice President
Massachusetts Chiefs of Police Association



Chief Deanna Strout
3rd Vice President
Massachusetts Chiefs of Police Association



Chief Michael J. Bradley, Jr. (Ret.)
Executive Director
Massachusetts Chiefs of Police Association

President
Chief Kerry Ramsdell
Endicott College
Beverly, MA



Treasurer
Lieutenant David Wade
Bentley University
Waltham, MA

Vice President
Captain Mark Roche
Tufts University
Medford, MA

Secretary
Chief Erin Carcia
Babson College
Wellesley, MA

MASSACHUSETTS ASSOCIATION OF CAMPUS LAW ENFORCEMENT ADMINISTRATORS
www.maclea-ma.org

December 12, 2025

Enrique Zuniga
Executive Director
Peace Officer Standards and Training Commission
84 State Street, 2nd Floor
Boston, MA 02109

Dear Executive Director Zuniga,

On behalf of the Massachusetts Association of Campus Law Enforcement Administrators (MACLEA), we respectfully support the Massachusetts Chiefs of Police Association (MCOPA) who recently proposed the formation of an advisory committee to support POST-C in the early stages of policy and regulation development.

As an Association that represents both public and private colleges and universities across the commonwealth with close to 1000 POST certified police officers in higher education, we are more than willing to actively participate in the proposed advisory committee and more importantly support POST's mission and work towards transparency, professionalism and enhancing public trust.

We appreciate all your work and are happy to support, provide resources and assist in whatever manner that will best support the Commissions work. Thank you for your time on this matter.

Respectfully,

MACLEA Executive Board



"The only Union for Law Enforcement Officers"

Scott A. Hovsepian, President
sah@masscop.org

John E. Nelson, First Vice-President
jen@masscop.org

Robert W. Murphy, Secretary/Treasurer
rwm@masscop.org
(508) 581-9336
fax (508) 581-9564

December 17, 2025

Peace Officer Standards and Training Commission
84 State Street
Boston, MA 02109

To the Commission:

The Massachusetts Coalition of Police, with over 5,000 members, is the largest labor representative of rank-and-file police officers in Massachusetts. On behalf of our membership, we submit the following written commentary to inform the Commission's consideration of the Massachusetts Chiefs of Police Association's (MACOPA) proposal to create an advisory committee, composed of Massachusetts Chiefs of Police, to advise the Commission in reviewing policy matters at an early stage of development.

As a federation of hundreds of local unions of rank-and-file law enforcement officers and public safety dispatchers, our members are primarily responsible for the provision of law enforcement services to the people of the Commonwealth and bear the bulk of the burden of complying with policy produced by the Commission. This unique mix of expertise and obligation makes our perspective particularly important for the Commission's consideration.

We oppose the creation of an advisory committee on the terms proposed by MACOPA. We recognize and agree with the reasons behind MACOPA's proposal: an advisory committee composed of Chiefs of Police would certainly be of significant assistance to the Commission by lending the expertise of the most experienced and highest-ranking officers in the Commonwealth to the development of Commission policy. In consideration of the ongoing rollout of regulations relating to certification, we agree that having experienced law enforcement voices available at the earliest stages of development would improve the effectiveness and efficiency of Commission policy development.

We fear, however, that an advisory committee composed solely of Chiefs of Police would exclude the hands-on knowledge of officers serving all of their careers in the field, and skew policy towards the interests and biases of management. We are also concerned that such a committee would not be best situated to advise the Commission on diverse policy areas, given the increasing specialization of law enforcement officers in the areas which the Commission seeks to regulate.

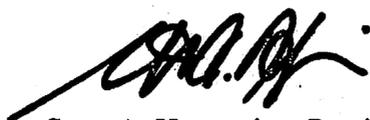
We support, however, the proposal of Commissioner Hanya Bluestone to create an advisory committee composed jointly of Chiefs of Police and rank-and-file law enforcement officers.

We believe that a committee so composed would even better resolve the concerns presented by MACOPA, namely the absence of experienced law enforcement voices in the development of Commission policy, while ensuring that the perspectives of rank-and-file officers in diverse roles are heard in the policy development process. To this end, we would propose the creation of an advisory committee as follows:

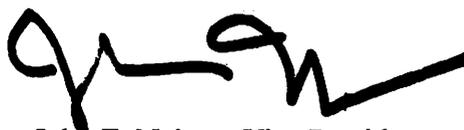
1. The advisory committee would be established by, appointed by, and report to the Commission, and constitute a subcommittee subject to the Open Meeting Law.
2. The advisory committee would serve in a purely advisory capacity, without any delegated powers or decision-making authority.
3. The advisory committee would be composed of eight members, appointed by the Governor or her designee, including: one Chief of Police from a city, one Chief of Police from a town, one law enforcement officer in the rank of Sergeant, one law enforcement officer assigned to patrol duties below the rank of Sergeant, one law enforcement officer assigned to detective duties below the rank of Sergeant, one law enforcement officer serving as an instructor with the Municipal Police Training Committee, one law enforcement officer employed by a county sheriff, and one law enforcement officer or former law enforcement officer who is an officer of a union composed at least primarily of law enforcement officers.
4. A simple majority of four would constitute a quorum for conducting business.

It is our opinion that such an advisory committee would both best meet the need for experienced and diverse law enforcement perspectives at the earliest stages of policy development, while avoiding any potential biases towards management perspectives. We hope this letter informs the Commission of the perspective of rank-and-file law enforcement officers as to the role they can play in policy development at the Commission, and how the Commission can best support the safety and security of the people of this Commonwealth.

Sincerely,



Scott A. Hovsepian, President
Massachusetts Coalition of Police



John E. Nelson, Vice President
Massachusetts Coalition of Police

3c.



Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

MEMORANDUM

TO: Commissioners of the Massachusetts POST Commission
FROM: Enrique A. Zuniga, Executive Director
Heather E. Hall, Deputy Director of Police Certification
DATE: December 11, 2025
RE: Application for Voluntary Relinquishment of Certification Submitted by
Stephen Gondella

The Peace Officer Standards and Training Commission has received an application from Stephen Gondella (“Mr. Gondella”) to voluntarily relinquish his certification as a law enforcement officer (“application”). In accordance with the Commission’s *Policy on Voluntary Relinquishment of Certification* (“policy”), the Commission’s staff evaluated his application and conducted the requisite background check. Based on the staff review and information obtained, the Executive Director recommends that the Commission **GRANT the application with a CONDITION** at its meeting on Thursday, December 18, 2025.

I. MR. GONDELLA’S BACKGROUND, APPLICATION, AND OTHER CORRESPONDENCE

Mr. Gondella began serving as a member of the Massachusetts State Police (“MSP”) in 1999. He was automatically certified as a law enforcement officer as of July 1, 2021. The Commission recertified him for a period of three years in 2022, and again in July of 2025. He retired in good standing as a Lieutenant from the MSP effective August 15, 2025. His certification is set to expire on November 1, 2028.

On July 8, 2025, Mr. Gondella emailed the Division of Police Certification (“Certification Division”), stating that he was planning to retire and wished to obtain a private investigator license. The Certification Division provided the link to the relinquishment policy and application. On July 29, 2025, Mr. Gondella asked for clarification on the definition of “civil or administrative action.” The Certification Division responded that the question referred to whether the applicant has been involved in any civil lawsuit or administrative agency action. After Mr. Gondella asked for more clarification, the Certification Division responded that if he was unsure about how to answer, it was best to err on the side of disclosure.

On August 20, 2025, Mr. Gondella submitted his application. He answered, “No” to each of the questions.¹ He also stated that during his career there had been no negative actions taken against him. Mr. Gondella signed and dated the application.

II. EVALUATION OF MR. GONDELLA’S APPLICATION

a. Certification Division

The Certification Division reviewed the Commission’s internal records and did not see any barriers to granting Mr. Gondella’s application. The Certification Division then forwarded the application to the Division of Police Standards (“Standards Division”).

b. Standards Division

The Standards Division reviewed Mr. Gondella’s application and reported that it had done its due diligence, including a review of Federal and Massachusetts court records. After that review, the Standards Division raised concerns about Mr. Gondella’s negative response to question 4.a. in the application, which asks whether the applicant has been involved in “any civil or administrative agency actions” related to law enforcement service.

Contrary to his answer, Mr. Gondella was a named defendant in a 2007 Federal lawsuit, *Farrah v. Gondella*, 1:07-cv-12075-RGS. In that lawsuit, he was accused of using and/or allowing other officers to use excessive force, which allegedly caused the death of Alfonso Santana. The Standards Division reported that a jury considered the evidence and found in favor of the officers, and recommended that Mr. Gondella be asked to supplement his application.

c. Summary of Follow Up Communications

On December 3, 2025, the Certification Division conveyed to Mr. Gondella that during the review of his application, Commission staff learned of the above-referenced lawsuit, and asked him to supplement his application by Friday, December 5th. After additional communications, Mr. Gondella ultimately submitted a timely supplemental application, disclosing the lawsuit.

d. Opportunity for Public Comment

In addition to the above evaluation, pursuant to the policy, Mr. Gondella’s application and supplemental application are being posted on the Commission’s website through the announcement regarding the December 18, 2025, public meeting so that his previous law enforcement employer and members of the public may submit comments.

¹ The answer to Question 4.b. did not appear on the application Mr. Gondella submitted because it was not a required field in the Formstack application. This issue with the Formstack has since been addressed.

III. EXECUTIVE DIRECTOR'S RECOMMENDATION

Based on the above information, the Executive Director recommends that the Commission **GRANT Mr. Gondella's application with the following condition:**

Going forward, if Mr. Gondella seeks to return to working in law enforcement in Massachusetts in any capacity (including details), he must disclose that he was a named defendant in the 2007 Federal lawsuit, Farrah v. Gondella, 1:07-cv-12075-RGS to the Commission and any prospective law enforcement agency. He must also disclose any other information that is responsive to the questions on the application for certification.

As required by the policy, if the Commission decides to grant the application with a condition, the Executive Director or his designee will inform Mr. Gondella of the above condition and the opportunity to withdraw the application within fourteen (14) calendar days.

4a.

Finance & Administrative Update



FY27 Budget Development



PST 0800-0000

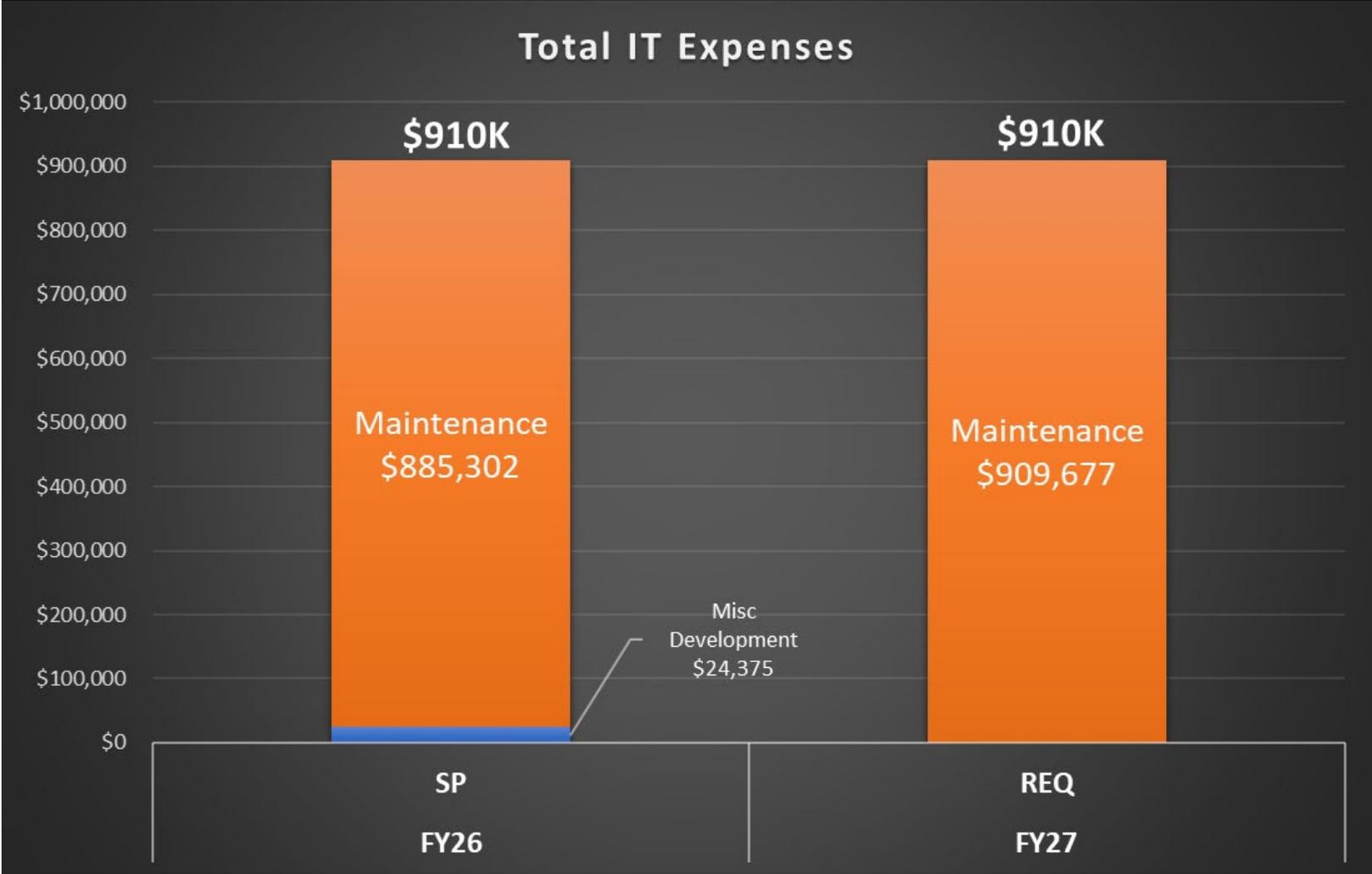
Object Code Description	FY26 FIN SP	FY27 MNT	FY27 C&E	FY27 REQ
EMPLOYEE COMPENSATION (AA) TOTAL	6,640,159	317,529	425,000	7,382,688
EMPLOYEE TRAVEL (BB) TOTAL	35,200	0	0	35,200
CONTRACT EMPLOYEES (CC) TOTAL	96,570	0	0	96,570
PAYROLL TAX/FRINGE (DD) TOTAL	149,556	6,425	9,393	165,374
OFFICE SUPPLIES/POSTAGE/SUBSCRIPTIONS (EE) TOTAL	173,097	1,150	0	174,247
FACILITY OPERATIONS (FF) TOTAL	36,000	0	0	36,000
OFFICE SPACE LEASE (GG) TOTAL	635,366	9,265	0	644,631
CONSULTANTS/LEGAL SERVICES (HH) TOTAL	85,000	0	(23,000)	62,000
SUPPORT/AUXILIARY SERVICES (JJ) TOTAL	41,000	0	0	41,000
OFFICE FURNITURE/FIXTURES/EQUIPMENT (KK) TOTAL	3,000	0	0	3,000
OFFICE EQUIPMENT LEASE (LL) TOTAL	2,446	1,120	0	3,566
OFFICE MAINTENANCE/REPAIRS (NN) TOTAL	26,131	8,970	0	35,101
INFORMATION TECHNOLOGY (UU) TOTAL	909,677	0	0	909,677
Grand Total :	8,833,202	344,459	411,393	9,589,053

FY27 Budget Development



Payroll Break-Out	
FY26 Spend Plan Total	\$6,640,159
9 Commissioners	\$417,041
60 Employees	\$7,140,940
6 Hearing Officers	\$60,000
Delayed Hires & Required Reductions	(\$977,822)
FY27 Total MNT Increment	\$317,529
55 Employees, 9 Commissioners, and 6 Hearing Officers (Annualized)	\$317,529
COLA	\$0
FY27 Total C&E Increment	\$425,000
Addback 4 Eliminated Positions (Annualized)	\$425,000
COLA	\$0
Grand Total	\$7,382,688

FY27 Budget Development



FY27 Budget Development



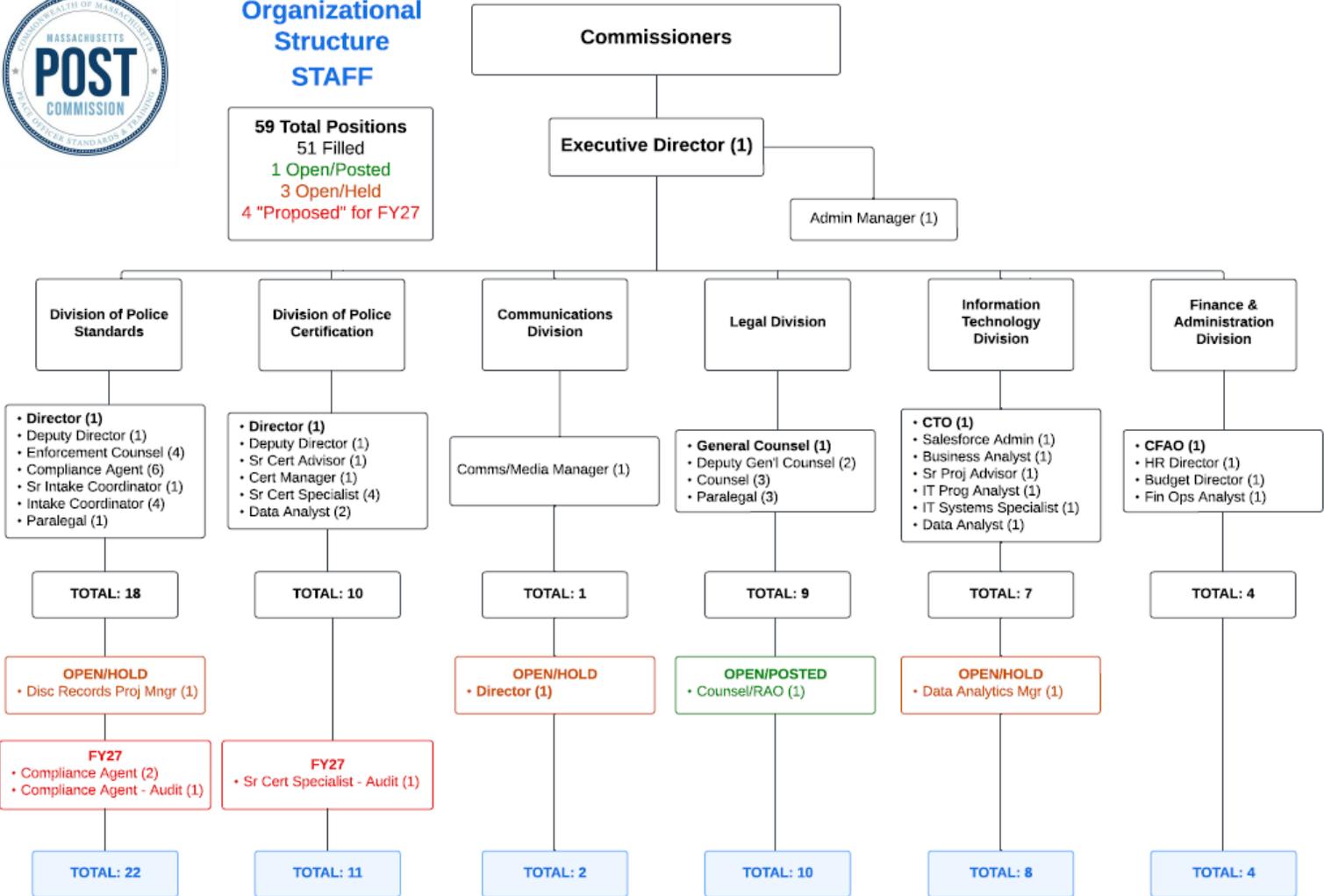
FY27 Spending Plan

12/31/2025



Organizational Structure STAFF

59 Total Positions
 51 Filled
 1 Open/Posted
 3 Open/Held
 4 "Proposed" for FY27



Diversity Update



Diversity Metrics

Demographic	Statewide Population*	POST			State Employees**
		ALL	Hiring Process	SFI	
American Indian or Native Alaskan	0.6%	0.0%	0.0%	0.0%	0.2%
Asian	8.3%	9.0%	12.8%	0.0%	4.7%
Black or African American	9.9%	16.4%	8.5%	33.3%	19.0%
Hispanic or Latino	14.0%	6.0%	4.3%	6.7%	10.0%
Native Hawaiian or Other Pacific Islander	0.1%	0.0%	0.0%	0.0%	0.1%
White	78.1%	68.7%	74.5%	60.0%	59.6%
Two or More Races	3.0%	3.0%	2.1%	0.0%	1.0%
Female	51.1%	52.2%	53.2%	33.3%	54.4%
Veterans	3.6%	6.0%	4.3%	6.7%	3.3%
Disability	8.3%	1.5%	2.1%	0.0%	4.2%

*As reported by the U.S. Census Bureau; Estimates as of 7/1/2024 (V2024); All data updated on 6/26/2025, except for Veterans and Disability

**As reported by the Office of Diversity and Equal Opportunity; Figures as of FY26 Q1



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

TO: Commissioners
FROM: Finance & Administration
CC: Enrique Zuniga
DATE: December 18, 2025
RE: FY27 Budget Development

Working closely with the Commission's division heads, executive director, and Treasurer Luma, F&A submitted a preliminary FY27 operating budget request to ANF on November 3rd. The budget numbers will be presented to you during today's commission meeting.

As of this writing, ANF has not recommended any changes to our figures. However, we anticipate continued discussions with ANF throughout the remainder of December and early January, with the goal of achieving a final number for inclusion within the Governor's Budget Recommendation. Per the Constitution, the Governor will file her budget on January 28th. Similar to last year, the Commission will be asked to vote on its budget prior to the Governor's official filing. Hence, a vote is expected today.

The POST Commission is still growing and evolving as it strives to achieve its statutory mission. It is not in a position to present a standard "maintenance" budget as with most state agencies. Entertaining "cuts & expansions" is a moot point, as well. Nevertheless, rather than submit our usual "evolving" budget to ANF, POST submitted a more traditional two-stage budget request for FY27: (1) maintenance; and, (2) cuts & expansions. This was done in order to demonstrate POST's awareness and understanding of ANF's budgetary challenges amid the current fiscal uncertainty.

Table 1 illustrates the Commission's build-up to its FY27 request. Beginning with FY26 Spending Plan numbers, the first stage displays the incremental change for maintaining existing level of services, including the following:

- Rollback of four full-time positions that were originally built into FY26
 - 2 Compliance Agents
 - 1 Audit Compliance Agent
 - 1 Audit Certification Specialist
- Elimination of one backfill position: Senior Legal Advisor
- Reduction of budgeted hours for three post-retiree positions
- Suspension of 3% COLA



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

Table 1.

PST 0800-0000

Object Code Description	FY26 FIN SP	FY27 MNT	FY27 C&E	FY27 REQ
EMPLOYEE COMPENSATION (AA) TOTAL	6,640,159	317,529	425,000	7,382,688
EMPLOYEE TRAVEL (BB) TOTAL	35,200	0	0	35,200
CONTRACT EMPLOYEES (CC) TOTAL	96,570	0	0	96,570
PAYROLL TAX/FRINGE (DD) TOTAL	149,556	6,425	9,393	165,374
OFFICE SUPPLIES/POSTAGE/SUBSCRIPTIONS (EE) TOTAL	173,097	1,150	0	174,247
FACILITY OPERATIONS (FF) TOTAL	36,000	0	0	36,000
OFFICE SPACE LEASE (GG) TOTAL	635,366	9,265	0	644,631
CONSULTANTS/LEGAL SERVICES (HH) TOTAL	85,000	0	(23,000)	62,000
SUPPORT/AUXILIARY SERVICES (JJ) TOTAL	41,000	0	0	41,000
OFFICE FURNITURE/FIXTURES/EQUIPMENT (KK) TOTAL	3,000	0	0	3,000
OFFICE EQUIPMENT LEASE (LL) TOTAL	2,446	1,120	0	3,566
OFFICE MAINTENANCE/REPAIRS (NN) TOTAL	26,131	8,970	0	35,101
INFORMATION TECHNOLOGY (UU) TOTAL	909,677	0	0	909,677
Grand Total :	8,833,202	344,459	411,393	9,589,053

In order for POST to deliver the same level of services in FY27, as it is in FY26, we will require an additional \$344K, or **3.9% growth**. This amount represents the net increase to maintain 55 regular employees, 9 commissioners, and 6 hearing officers on an annualized basis. For context, POST’s current regular employee headcount is 51. Of course, with a maintenance budget POST is likely to endure significant impacts. For example, delays in backfilling positions, or spreading resources too thinly, could slow down – or even halt – progress, and force POST to postpone goals.

LEA Certification Program

While development is well underway, and four of the eight statutory standards have been preliminarily approved, the development of implementation processes will eventually need to commence.

Auditing Program

Planning discussions are occurring with much collaboration among the Legal Division, Division of Police Standards, Finance & Administration, and the Executive Director. Similar to certifying LEAs, auditing LEAs will require detailed processes.



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

In addition, POST is exploring various models that could provide meaningful wellness support to the law enforcement community. Of course, such programs involve a cost, including the use of new technology. While POST will continue to research health and wellness enhancements, a maintenance budget will not allow for program implementation, even at a pilot level.

Should the fiscal outlook show signs of improving before the Governor’s budget is filed in January, ANF would have the option of including our second increment of \$411K. The second stage restores the four full-time positions and offers a reduction to outside consultants. The consultant reduction is to partially offset the increase in payroll. Such a development would put POST’s regular employee headcount at 59. This scenario would get us to our FY26 headcount forecast.¹ Adding in the second increment of \$411K would bring POST’s total requested budget to \$9.59 million for FY27, thereby alleviating the need for delays in certifying and auditing law enforcement agencies. This figure represents **8.6% growth** above the current budget.

Payroll

The FY26 budget was subjected to multiple cuts prior to its final approval by the Legislature and Governor. With a current staff headcount of 51, POST had originally planned on targeting a total of 59 positions by the end of FY26.

Table 2.

Payroll Break-Out	
FY26 Spend Plan Total	\$6,640,159
9 Commissioners	\$417,041
60 Employees	\$7,140,940
6 Hearing Officers	\$60,000
Delayed Hires & Required Reductions	(\$977,822)
FY27 Total MNT Increment	\$317,529
55 Employees, 9 Commissioners, and 6 Hearing Officers (Annualized)	\$317,529
COLA	\$0
FY27 Total C&E Increment	\$425,000
Addback 4 Eliminated Positions (Annualized)	\$425,000
COLA	\$0
Grand Total	\$7,382,688

¹ In FY26, POST budgeted for 60 positions; the total dropped to 59 when it was decided not to backfill the recently vacated senior legal advisor position.



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

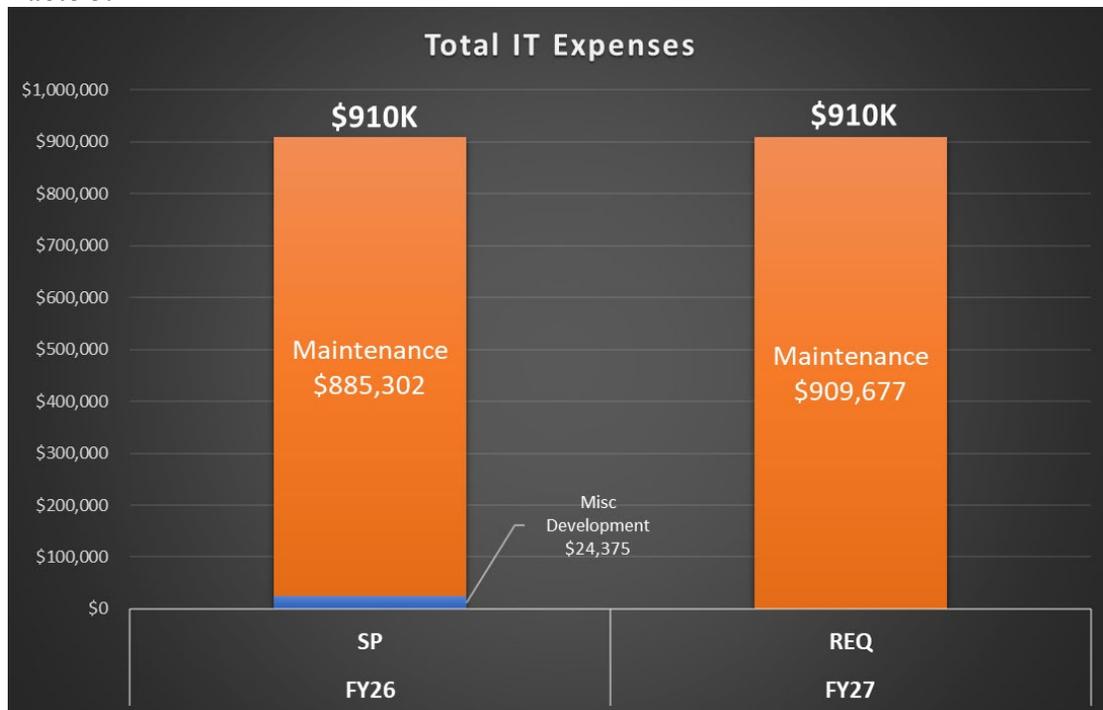
However, you may recall back in September that we had to purposefully delay onboarding most positions in order to ensure we have enough funding to make payroll. Due to the concerns of fiscal uncertainty surrounding FY27, POST took a further step to refrain from posting all but one position (Records Access Officer) until H2 is filed.² Without knowing for certain what next year’s budget will look like, it is best not to make additional hires now if we cannot potentially afford them in FY27. Once H2 is filed, POST will be able to determine the exact number of employees it can afford, and whether or not we can post all the positions that are currently on hold.

To reiterate, budget development and spending plans for FY26 factored in 60 positions. The first stage request for FY27 reduces the positions from 60 to 55. The second stage of POST’s FY27 request restores four positions, bringing the Commission’s regular employee total to 59.

Information Technology

Total IT spending for FY27 is level-funded at \$910K. The Commission’s technical needs are stabilizing as it slowly nears full operational status. Therefore, the vast majority of POST’s IT spending is categorized as recurring maintenance costs. This has been the situation since FY25. Although we do not anticipate any new development, certain IT enhancements and applications may need to be built based entirely on need or urgency.

Table 3.



² Interviews are currently ongoing for the Records Access Officer, which we hope to have filled by Q3.



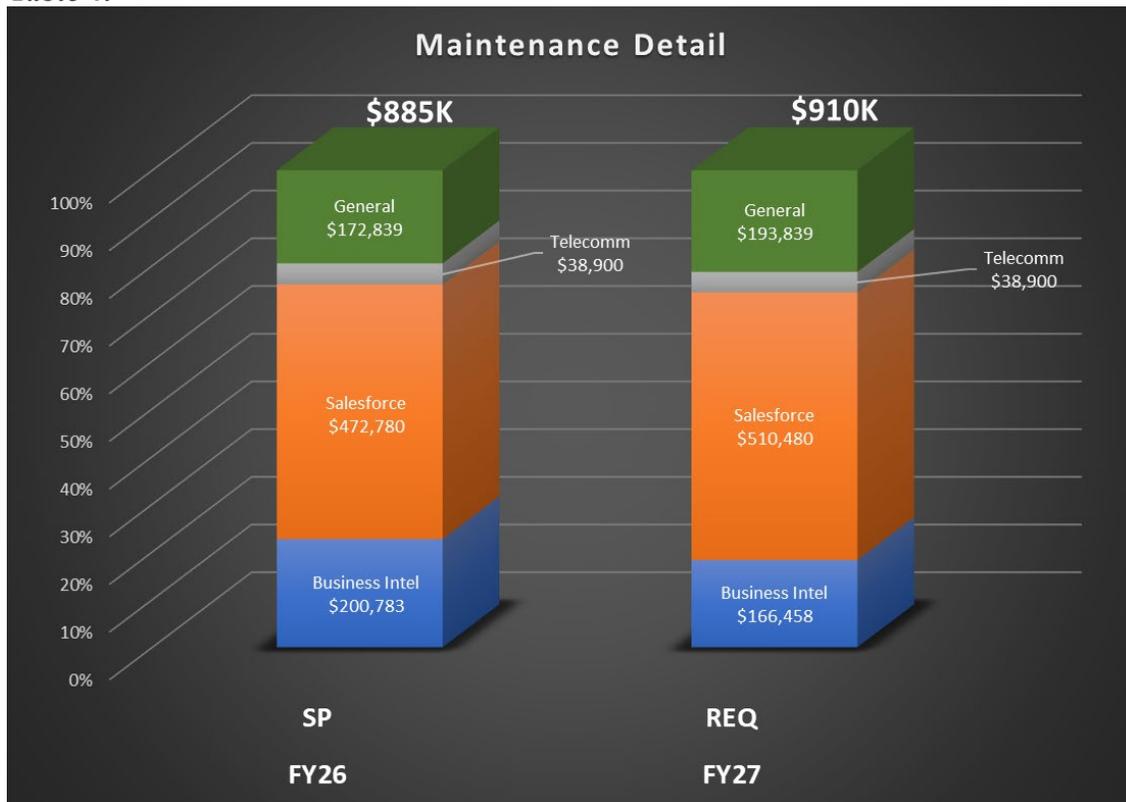
MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

Just over half (52%) of POST’s IT expenses are tied to Salesforce maintenance, such as licensing. The remaining 48% is allocated to other types of maintenance costs, such as cell phones, email, equipment turnover, etc. Work on the Business Intelligence tool for the new website is also included within the Other maintenance category due to licensing. As you know, this intuitive tool will ultimately allow the general public access to interactive analytical data. POST will maintain this feature mostly through Tableau licensing. Actual public usage of the product – which is yet to be determined – will provide us with better information as to forecasted costs. Therefore, it is possible such costs could very well escalate in future fiscal years, depending on usage volume.

The breakout of maintenance costs remains virtually unchanged for FY27.

Table 4.



HQ
As expected, POST will continue with its 6-year lease at 84 State Street (FY27 = Year 3 of 6) at \$52K per month. We do not anticipate any one-time modifications or build-outs to the office in FY27.

Conclusion
As always, F&A is available should you have any questions or concerns. We are also happy to break-down any of the numbers presented for further discussion.



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

MEMO

TO: Commissioners
FROM: Finance & Administration
CC: Enrique Zuniga
DATE: December 18, 2025
RE: Diversity Statistics Update

As part of its commitment to onboarding and sustaining a diverse workforce, the POST Commission regularly reviews its recruitment process and analyzes diversity statistics. The purpose of this memo is to provide an update on diversity statistics. The last report was provided on July 17, 2025.

Diversity Statistics

To report the makeup of the entire POST Commission, we have included any and all individuals who receive direct compensation for work performed on the agency’s behalf. These individuals include (a) nine Commissioners; (b) employees (i.e., part-time, full-time, and post-retiree); (c) hearing officers; (d) fellows and interns; and, (e) *ad hoc* contractors (i.e., bailiffs), and are denoted by “ALL” in the below chart.¹ The “SFI” column indicates individuals who are required to file a Statement of Financial Interest. Finally, at the request of the Commission, we added in an additional column (dark blue) which isolates individuals who are subject to the Commission’s full hiring process (i.e., recruitment, interviews, onboarding).

Demographic	Statewide Population*	POST			State Employees**
		ALL	Hiring Process	SFI	
American Indian or Native Alaskan	0.6%	0.0%	0.0%	0.0%	0.2%
Asian	8.3%	9.0%	12.8%	0.0%	4.7%
Black or African American	9.9%	16.4%	8.5%	33.3%	19.0%
Hispanic or Latino	14.0%	6.0%	4.3%	6.7%	10.0%
Native Hawaiian or Other Pacific Islander	0.1%	0.0%	0.0%	0.0%	0.1%
White	78.1%	68.7%	74.5%	60.0%	59.6%
Two or More Races	3.0%	3.0%	2.1%	0.0%	1.0%
Female	51.1%	52.2%	53.2%	33.3%	54.4%
Veterans	3.6%	6.0%	4.3%	6.7%	3.3%
Disability	8.3%	1.5%	2.1%	0.0%	4.2%

*As reported by the U.S. Census Bureau; Estimates as of 7/1/2024 (V2024); All data updated on 6/26/2025, except for Veterans and Disability
**As reported by the Office of Diversity and Equal Opportunity; Figures as of FY26 Q1

Based on these metrics, it may be fair to say that the collective makeup of the agency continues to reflect the community it serves. In working to maintain this status, F&A will regularly review the agency’s makeup and report the results to the Commission.

¹ Fellows and interns who are not compensated by the Commission are not included; only individuals directly compensated by the Commission are included.

5a.



DRAFT

PRACTICAL GUIDANCE FOR MASSACHUSETTS CONSTABLES

Massachusetts Peace Officer Standards and Training Commission

2025

In recent years, Massachusetts has enacted a series of statutes and regulations¹ that have impacted constables. Those statutes and regulations provide that a law enforcement officer must be certified by the Massachusetts Peace Officer Standards and Training Commission in order to arrest someone or perform police duties and functions.² Constables who execute arrests for any reason fall within the scope of this requirement.³

But what does that mean as a practical matter?

It means that many—in fact, most—parts of a constable’s job remain unchanged by the recent statutes and regulations, because most parts of a constable’s job do not involve arresting people or performing the duties and functions of a police officer, and because the statutes and regulations do not give constables, even certified constables, powers they did not previously have.

It also means, however, that constables are no longer permitted to take certain actions without being certified by the Commission.

Some actions might not involve physical contact but may still be impermissible because they involve a show of authority that is coercive—that is, they make another person feel compelled to act or not act in a certain way. Actions can become more coercive where, for example, they are facilitated by the use or display of a weapon, or the display of a badge or uniform resembling that of a police officer. The use or display of a weapon can create still further risks. It can escalate tensions, cause others to react to perceived threats to their safety, and increase the chances of physical harm, and even tragic results, for the constable or others. These possibilities are even more likely when a constable has not received the extensive training that is completed by certified law enforcement officers.

The present document is meant to provide practical guidance for constables wanting to know which actions are permitted and which are not permitted under the recent statutes and regulations.

This document aims to explain through examples.

To be clear, this document is not a comprehensive explanation of the statutes and regulations governing constables. It is also not meant to cover every situation a constable may face, nor is it intended to provide legal advice.

Instead, this document is meant to function like a lighthouse—providing enough light to help navigate around certain dangerous areas but not enough to illuminate the entire landscape.

In the examples below, we will assume that the constables in question have been duly appointed or elected to serve as a constable within their jurisdiction, but do not possess a law enforcement certification issued by the Commission.

If you seek guidance on a specific matter, we recommend that you seek the advice of a lawyer.

I. USE OF FORCE OR COMMANDS

Example 1: Mere Service

A constable serves papers on a person. Those papers include orders from a court that the person has to pay money, vacate certain premises, or appear in court. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of papers is not an arrest and is not a police duty or function.

Example 2: Service of Capias or Notice Paperwork

A constable serves papers on a person. Those papers could include a capias and/or a notice. The papers inform the person of one or more of the following: (i) that a capias has been issued for that person, (ii) that the person should appear at a certain court on a certain date and time, (iii) that the person's failure to appear may later result in the issuance of a civil arrest warrant, and/or (iv) that the person is subject to immediate civil arrest. The constable does not place the person under arrest. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of such paperwork is not an arrest and is not a police duty or function. The court, not the constable, issued the capias requiring the person to appear.

Example 3: Service and Placing Person in Handcuffs

A constable serves papers on a person. Those papers include a capias, a notice that the court has issued a capias, or both. The capias or notice commands that the person be brought to court. To make sure that the person complies, the constable places the person in handcuffs and drives that person to the courthouse.

The constable's actions are not permitted.

A constable is not permitted to “seize” or “detain” a person—which is what the constable did here by handcuffing the person.

Example 4: Service of Capias or Notice Paperwork and Volunteering a Ride

A constable serves papers on a person. Those papers include a capias, a notice that the court has issued a capias, or both. The capias or notice instructs the person to report to the court to remove the capias. The constable informs the person that the person does not have to come with the constable, but the constable offers to drive the person to court if the person wants to come with the constable. The constable uses no force and threatens no force. The person agrees to be driven by the constable to court. The constable does not place the person in handcuffs, and the person is not locked in the constable's car during the drive to court.

The constable's actions are permitted.

A constable is permitted to transport a person if that person voluntarily agrees to be transported and knows that the person does not have to go with the constable. Here, the constable merely served papers and offered a ride, which was accepted. The constable did not arrest the person or perform police duties or functions.

Example 5: Service and Grabbing Person

A constable attempts to serve papers on a person. The person tries to leave. Trying to stop that person, the constable grabs hold of the person's arm. That person understands that the constable is trying to prevent the person from leaving. The person stops. The constable serves the person with the papers and then leaves.

The constable's actions are not permitted.

A constable does not have to use handcuffs or other such restraints to "seize" or "detain" a person.

The constable here intended to detain the person; the constable performed an action which did detain the person; and the person, who had been trying to leave, stopped because that person understood that the constable was trying to detain the person.⁴

The constable's use of physical force here was not permitted, even though the constable may not have used a great deal of force or detained the person for a long period of time.

Example 6: Volunteering a Ride and Grabbing a Person

A constable serves papers on a person. Those papers include a capias, a notice that the court has issued a capias, or both. The person agrees to accept a ride to court with the constable. When they arrive at court, the person decides not to enter the court. Instead, the person gets out of the constable's car and starts to walk away from the court. The constable grabs the person's arm and keeps the person from walking away.

The constable's actions are not permitted.

A person who consents to being driven by a constable may change their mind. Here, the fact that the person originally agreed to go to court with the constable did not give the constable authority to detain or seize the person when it was clear that the person no longer wanted to go. Grabbing the person's arm constituted an impermissible seizure.

Example 7: Eviction and Physical Removal of Person

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence refuses to leave. The person is not physically threatening the constable. The constable grabs the person by the shirt and pushes the person out of the residence.

The constable's actions are not permitted.

The constable's actions here—using physical force and grabbing the person's shirt—amounted to a seizure of the person and were therefore not permissible.

Example 8: Service and Threat to Use Force

A constable attempts to serve papers on a person. That person starts to walk away. The constable commands the person to stop and shouts that, if the person continues to walk away, the constable will be forced to stop that person, draw a weapon, or handcuff the person. The person obeys the constable's command and stops. The constable serves the papers and leaves without use of physical force.

The constable's actions are not permitted.

An arrest or seizure does not have to involve physical restraint or the actual use of physical force. The threat of such restraint or force can be enough to create an arrest or seizure.

Said differently, a show of authority, through words or actions, can be enough to create an arrest or seizure, especially when the constable is coercing a person to do an action against that person's will. Such is the case in the example here.

Example 9: Eviction and Implied Threat to Use Force

A constable, as part of an eviction, serves papers on a person to alert that person that the person must vacate a residence. The person is not physically threatening but refuses to vacate the property. The constable suggests to the person that the constable is prepared to draw a gun to clear the residence if necessary. The person, frightened, vacates the residence.

The constable's actions are not permitted.

At times, a constable's actions are impermissible even when that constable uses no physical force. Words as well as actions can constitute a show of authority and thus cross the line of permissibility. Such an implied threat crossed the line here.

Example 10: 48-Hour Notice (No Force Used)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable calls the police, who physically remove the person from the residence. The constable does not assist in the removal of the person. The constable then removes the person's possessions from the residence.

The constable's actions are permitted.

The constable did not arrest, seize, or detain the person.

As part of a lawful eviction process, the constable was permitted to notify the person that the constable would remove the person from the residence, which the constable did by contacting the police who effectuated the removal.

The constable was also permitted to notify the person that the constable would remove the person's possessions, which the constable did by taking those possessions out of the residence.

Example 11: 48-Hour Notice (Force Used)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable grabs the person by the shirt and pushes that person out of the residence. The constable then removes the person's possessions from the residence.

The constable's actions are not permitted.

The constable's actions in using physical force and grabbing the person's shirt amounted to a seizure of the person and were therefore not permissible.

Example 12: 48-Hour Notice (Use of Police Authority)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable shows the person an official-looking badge and tells the person that the constable is prepared to place the person under arrest if necessary. The person, frightened, vacates the residence.

The constable's actions are not permitted.

Mere service of a 48-Hour Notice is not a police duty or function, but where service of such a notice is combined with other factors – such as a threat to arrest, display of a gun, or display of a badge resembling those worn by a police officer – a constable's actions may become a show of authority that amounts to performing police duties and functions. Such was the situation here.

Example 13: 48-Hour Notice (Informing Person About Police)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable tells the person that, if the person does not vacate the residence, the constable will call the police to remove the person from the residence. The person, upon hearing about the police, vacates the residence without the constable calling the police. The constable then removes the person's possessions from the residence.

The constable's actions are permitted.

It would have been lawful in this situation for the constable to call the police in order to remove the person from the residence. The constable was permitted to inform the person about the lawful steps that the constable planned to take to vacate the residence.

The constable did not arrest, seize, or detain the person.

II. SELF-DEFENSE

Example 14: Constable Unable to Escape

A constable serves papers on a person. That person attacks the constable. The constable, unable to escape, grabs the person and holds that person down in self-defense so that the person cannot harm the constable. The police are called and, upon arrival, place the person under arrest.

The constable's actions are permitted.

Constables do not abandon their right to self-defense when they become constables. They can protect themselves, like any other person, according to the laws of self-defense.

Still, a constable must be careful. The laws of self-defense are limited. They do not protect every use of force. Generally speaking, to be protected by the doctrine of self-defense, an individual, among other things, cannot use more force than is reasonably necessary, cannot use force if there is a safe way to avoid using such force, and, in most cases, cannot have initiated the aggression.⁵ There are many exceptions to the doctrine of self-defense; it is best to be cautious and use force only when certain that its use is permitted by law.

Example 15: Constable Able to Escape

A constable serves papers on a person. That person starts to threaten the constable with physical violence. The constable is able to leave safely by walking away from the person. Instead, the constable chooses to grab hold of the person, keep that person from leaving and, while that person is detained, call the police.

The constable's actions are not permitted.

A constable typically is not permitted to seize a person. An exception to that general rule is when self-defense applies.

Here, self-defense did not apply because the constable was able to escape safely but did not.⁶ Because the doctrine of self-defense does not apply, the constable's seizure of the person was not permissible.

Example 16: Constable Calls Police

A constable serves papers on a person. That person starts to threaten the constable with physical violence. The constable calls the police. The police arrive and place the person under arrest. The constable leaves.

The constable's actions are permitted.

A constable can call the police, like any other person can. The fact that a constable cannot themselves arrest a person does not bar a constable from calling the police, like anyone else, to report a crime or to be protected from harm.

III. REMOVAL OF PROPERTY

Example 17: Eviction and Removal of Personal Items

A constable, as part of an eviction, is removing items from a residence. The person who had been living in that residence tells the constable not to remove the items. The constable continues to remove the items according to the order of eviction. The constable does not use or threaten force and does not do or say anything that can be considered threatening towards the person.

The constable's actions are permitted.

Mere removal of items from a residence in accordance with a lawful order of eviction is not an arrest or a seizure. Nor is it a police duty or function.

Example 18: Eviction and Call to the Police (Threatening Individual)

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence refuses to get off the bed, which is still located in the residence. The constable removes all other items in the residence and calls the police to assist with the person in the bed. The police arrive and remove the person. The constable then removes the bed.

The constable's actions are permitted.

Mere removal of items in accordance with a lawful order of eviction is permissible. The constable did not seize or arrest the person in the residence, nor did the constable engage in a police duty or function. Instead, the constable lawfully called the police who removed the person from the residence.

Example 19: Eviction and Call to the Police (Threatening Crowd)

A constable, as part of an eviction, is removing items from a residence. A crowd of people surround the residence and start shouting for the constable to stop removing items. The constable continues removing items. When the crowd becomes more hostile, the constable calls the police to assist. The police arrive. The police arrest one person. The constable continues to vacate the property.

The constable's actions are permitted.

The constable did not arrest or seize anyone, nor did the constable perform a police duty or function. When it seemed that physical force might be necessary, the constable called the police who engaged in the physical detention of a person.

A constable is permitted—in fact, encouraged—to contact the police when physical restraint or detention may be necessary or when a situation appears likely to lead to a physical confrontation.

Example 20: Eviction and Threat to Use a Gun

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence asks the constable not to remove the items. The person is not threatening the constable but is blocking the constable's path to the items in the residence. The constable displays what appears to be a

gun and tells the person that he doesn't want any problems. The person, afraid, no longer blocks the constable. The constable continues to vacate the property.

The constable's actions are not permitted.

In this situation, the constable displayed the gun in an effort to assert authority over the person and gain that person's compliance while the constable was carrying out the orders of the court. The person reasonably understood that was the constable's intention and complied. The constable's actions here were an exercise of a police duty or function, and there was no justification for the constable's actions under the doctrine of self-defense because the person was not threatening the constable with physical harm.

IV. POST-SCRIPT

Whether an action is permissible or not depends on the specific facts of a case. The examples above are meant to provide general guidance. They are not intended to serve as advice for any specific case, nor to function as legal advice. If you would like further help with a specific case, please contact a lawyer. You can find resources to find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

Further guidance regarding constables, certification, and the permissibility of constables' actions can be found in Guidance made available by the Massachusetts Peace Officer Standards and Training Commission:

<https://399759da.delivery.rocketcdn.me/wp-content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf>

If you have further questions about the requirements for law enforcement certifications or the statutes and regulations governing constables with respect to such certification, you can contact the Massachusetts Peace Officer Standards and Training Commission at: <https://mapostcommission.gov/>

¹ See M.G.L. c. 6E, 555 CMR 1.00, 555 CMR 6.00, 555 CMR 9.00; see also Massachusetts Peace Officer Standards and Training Commission, “Guidance for Constables and Other Law Enforcement Personnel Regarding 555 CMR 9.00” (June 4, 2025, 12:03 PM) <https://399759da.delivery.rocketcdn.me/wp-content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf>

² M.G.L. c. 6E, § 1 (defining a “law enforcement officer” to include “a constable executing an arrest for any reason”); 555 CMR 9.12 (explaining that a law enforcement officer may not execute an arrest or perform police duties or functions if that law enforcement officer is an uncertified constable). In this document, the term “certified” means certified as a law enforcement officer by the Massachusetts Peace Officer Standards and Training Commission pursuant to M.G.L. c. 6E, § 4, and 555 CMR 7.00 or 555 CMR 9.00.

³ Id.

⁴ See, e.g., Tinsley v. Town of Framingham, 485 Mass. 760, 769 (2020) (“An arrest occurs where there is (1) an actual or constructive seizure or detention of the person, [2] performed with the intention to effect an arrest and [3] so understood by the person detained.” (alterations in original) (internal citations and quotations omitted)).

⁵ See, e.g., Commonwealth v. Chambers, 465 Mass. 520, 528 (2013) (initial aggressor); Commonwealth v. King, 460 Mass. 80, 83 (2011) (proportionality of force); Commonwealth v. Mercado, 456 Mass. 198, 209 (2010) (duty to retreat).

⁶ See, e.g., Commonwealth v. Mercado, 456 Mass. 198, 209 (2010) (duty to retreat).



DRAFT

PRACTICAL GUIDANCE FOR MASSACHUSETTS CONSTABLES

Massachusetts Peace Officer Standards and Training Commission

2025

In recent years, Massachusetts has enacted a series of statutes and regulations¹ that have impacted constables. Those statutes and regulations provide that a law enforcement officer must be certified by the Massachusetts Peace Officer Standards and Training Commission in order to arrest someone or perform police duties and functions.² Constables who execute arrests for any reason fall within the scope of this requirement.³

But what does that mean as a practical matter?

It means that many—in fact, most—parts of a constable’s job remain unchanged by the recent statutes and regulations, because most parts of a constable’s job do not involve arresting people or performing the duties and functions of a police officer, and because the statutes and regulations do not give constables, even certified constables, powers they did not previously have.

It also means, however, that constables are no longer permitted to take certain actions without being certified by the Commission.

Some actions might not involve physical contact but may still be impermissible because they involve a show of authority that is coercive—that is, they make another person feel compelled to act or not act in a certain way. Actions can become more coercive where, for example, they are facilitated by the use or display of a weapon, or the display of a badge or uniform resembling that of a police officer. The use or display of a weapon can create still further risks. It can escalate tensions, cause others to react to perceived threats to their safety, and increase the chances of physical harm, and even tragic results, for the constable or others. These possibilities are even more likely when a constable has not received the extensive training that is completed by certified law enforcement officers.

The present document is meant to provide practical guidance for constables wanting to know which actions are permitted and which are not permitted under the recent statutes and regulations.

This document aims to explain through examples.

To be clear, this document is not a comprehensive explanation of the statutes and regulations governing constables. It is also not meant to cover every situation a constable may face, nor is it intended to provide legal advice.

Instead, this document is meant to function like a lighthouse—providing enough light to help navigate around certain dangerous areas but not enough to illuminate the entire landscape.

In the examples below, we will assume that the constables in question have been duly appointed or elected to serve as a constable within their jurisdiction, but do not possess a law enforcement certification issued by the Commission.

If you seek guidance on a specific matter, we recommend that you seek the advice of a lawyer.

I. USE OF FORCE OR COMMANDS

Example 1: Mere Service

A constable serves papers on a person. Those papers include orders from a court that the person has to pay money, vacate certain premises, or appear in court. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of papers is not an arrest and is not a police duty or function.

Example 2: Service of Capias ~~Warrant~~ Notice Paperwork

~~_____ A constable serves a capias arrest warrant on a person. The warrant commands that the person be brought to court. _____~~ A constable serves papers on a person. Those papers could include a capias and/or a notice. The papers inform the person of one or more of the following: (i) that a capias has been issued for that person, (ii) that the person should appear at a certain court on a certain date and time, (iii) that the person's failure to appear may later result in the issuance of a civil arrest warrant, and/or (iv) that the person is subject to immediate civil arrest. The constable does not place the person under arrest. The constable uses no force and threatens no force. The constable merely serves the papers and then leaves.

The constable's actions are permitted.

Mere service of ~~a capias warrant~~such paperwork is not an arrest and is not a police duty or function. The court, not the constable, ~~is issued the capias~~ requiring the person to appear.

Example 3: Service and Placing Person in Handcuffs

A constable serves ~~a capias warrant~~papers on a person. Those papers include a capias, a notice that the court has issued a capias, or both. The ~~warrant~~capias or notice commands that the person be brought to court. To make sure that the person complies ~~with the warrant~~, the constable places the person in handcuffs and drives that person to the courthouse.

The constable's actions are not permitted.

A constable is not permitted to “seize” or “detain” a person—which is what the constable did here by handcuffing the person.

Example 4: Service of Capias ~~Warrant~~Notice Paperwork and Volunteering a Ride

A constable serves ~~a capias warrant~~papers on a person. ~~The warrant commands~~Those papers include a capias, a notice that the court has issued a capias, or both. The capias or notice instructs the person ~~be brought to court~~report to the court to remove the capias. The constable informs the person that the person does not have to come with the constable, but the constable offers to drive the person to court if the person wants to come with the constable. The constable uses no force and threatens no force. The person agrees to be driven by the constable to court. The constable does not place the person in handcuffs, and the person is not locked in the constable's car during the drive to court. ~~At the court, the constable's car is met by court officers, who arrest the person consistent with the capias arrest warrant. The constable does not assist with the arrest.~~

The constable's actions are permitted.

A constable is permitted to transport a person if that person voluntarily agrees to be transported and knows that the person does

not have to go with the constable. Here, the constable merely served papers and offered a ride, which was accepted. The constable did not arrest the person or perform police duties or functions.

Example 5: Service and Grabbing Person

A constable attempts to serve papers on a person. The person tries to leave. Trying to stop that person, the constable grabs hold of the person's arm. That person understands that the constable is trying to prevent the person from leaving. The person stops. The constable serves the person with the papers and then leaves.

The constable's actions are not permitted.

A constable does not have to use handcuffs or other such restraints to "seize" or "detain" a person.

The constable here intended to detain the person; the constable performed an action which did detain the person; and the person, who had been trying to leave, stopped because that person understood that the constable was trying to detain the person.⁴

The constable's use of physical force here was not permitted, even though the constable may not have used a great deal of force or detained the person for a long period of time.

Example 6: Volunteering a Ride and Grabbing a Person

A constable serves ~~a capias warrant on a person. papers on a person. Those papers include a capias, a notice that the court has issued a capias, or both.~~ The person agrees to accept a ride to court with the constable. When they arrive at court, the person decides not to enter the court. Instead, the person gets out of the constable's car and starts to walk away from the court. The constable grabs the person's arm and keeps the person from walking away. ~~Court officers approach and arrest the person consistent with the capias arrest warrant.~~

The constable's actions are not permitted.

A person who consents to being driven by a constable may change their mind. Here, the fact that the person originally agreed

to go to court with the constable did not give the constable authority to detain or seize the person when it was clear that the person no longer wanted to go. Grabbing the person's arm constituted an impermissible seizure.

Example 7: Eviction and Physical Removal of Person

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence refuses to leave. The person is not physically threatening the constable. The constable grabs the person by the shirt and pushes the person out of the residence.

The constable's actions are not permitted.

The constable's actions here—using physical force and grabbing the person's shirt—amounted to a seizure of the person and were therefore not permissible.

Example 8: Service and Threat to Use Force

A constable attempts to serve papers on a person. That person starts to walk away. The constable commands the person to stop and shouts that, if the person continues to walk away, the constable will be forced to stop that person, draw a weapon, or handcuff the person. The person obeys the constable's command and stops. The constable serves the papers and leaves without use of physical force.

The constable's actions are not permitted.

An arrest or seizure does not have to involve physical restraint or the actual use of physical force. The threat of such restraint or force can be enough to create an arrest or seizure.

Said differently, a show of authority, through words or actions, can be enough to create an arrest or seizure, especially when the constable is coercing a person to do an action against that person's will. Such is the case in the example here.

Example 9: Eviction and Implied Threat to Use Force

A constable, as part of an eviction, serves papers on a person to alert that person that the person must vacate a residence. The person is not physically threatening but refuses to vacate the property. The constable suggests to the person that the constable is prepared to draw a gun to clear the residence if necessary. The person, frightened, vacates the residence.

The constable's actions are not permitted.

At times, a constable's actions are impermissible even when that constable uses no physical force. Words as well as actions can constitute a show of authority and thus cross the line of permissibility. Such an implied threat crossed the line here.

Example 10: 48-Hour Notice (No Force Used)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable calls the police, who physically remove the person from the residence. The constable does not assist in the removal of the person. The constable then removes the person's possessions from the residence.

The constable's actions are permitted.

The constable did not arrest, seize, or detain the person.

As part of a lawful eviction process, the constable was permitted to notify the person that the constable would remove the person from the residence, which the constable did by contacting the police who effectuated the removal.

The constable was also permitted to notify the person that the constable would remove the person's possessions, which the constable did by taking those possessions out of the residence.

Example 11: 48-Hour Notice (Force Used)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions

from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable grabs the person by the shirt and pushes that person out of the residence. The constable then removes the person's possessions from the residence.

The constable's actions are not permitted.

The constable's actions in using physical force and grabbing the person's shirt amounted to a seizure of the person and were therefore not permissible.

Example 12: 48-Hour Notice (Use of Police Authority)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable shows the person an official-looking badge and tells the person that the constable is prepared to place the person under arrest if necessary. The person, frightened, vacates the residence.

The constable's actions are not permitted.

Mere service of a 48-Hour Notice is not a police duty or function, but where service of such a notice is combined with other factors – such as a threat to arrest, display of a gun, or display of a badge resembling those worn by a police officer – a constable's actions may become a show of authority that amounts to performing police duties and functions. Such was the situation here.

Example 13: 48-Hour Notice (Informing Person About Police)

A constable, as part of an eviction, serves a 48-Hour Notice on a person. The 48-Hour Notice alerts the person that the constable will remove the person and the person's possessions from a residence if that person has not vacated the residence within 48 hours. After 48 hours, the constable returns to the residence. The person is still there. The constable tells the person that, if the

person does not vacate the residence, the constable will call the police to remove the person from the residence. The person, upon hearing about the police, vacates the residence without the constable calling the police. The constable then removes the person's possessions from the residence.

The constable's actions are permitted.

It would have been lawful in this situation for the constable to call the police in order to remove the person from the residence. The constable was permitted to inform the person about the lawful steps that the constable planned to take to vacate the residence.

The constable did not arrest, seize, or detain the person.

II. SELF-DEFENSE

Example 14: Constable Unable to Escape

A constable serves papers on a person. That person attacks the constable. The constable, unable to escape, grabs the person and holds that person down in self-defense so that the person cannot harm the constable. The police are called and, upon arrival, place the person under arrest.

The constable's actions are permitted.

Constables do not abandon their right to self-defense when they become constables. They can protect themselves, like any other person, according to the laws of self-defense.

Still, a constable must be careful. The laws of self-defense are limited. They do not protect every use of force. Generally speaking, to be protected by the doctrine of self-defense, an individual, among other things, cannot use more force than is reasonably necessary, cannot use force if there is a safe way to avoid using such force, and, in most cases, cannot have initiated the aggression.⁵ There are many exceptions to the doctrine of self-defense; it is best to be cautious and **only** use force **only** when **necessary** **certain that its use is permitted by law**.

Example 15: Constable Able to Escape

A constable serves papers on a person. That person starts to threaten the constable with physical violence. The constable is able to leave safely by walking away from the person. Instead, the constable chooses to grab hold of the person, keep that person from leaving, and, while that person is detained, call the police.

The constable's actions are not permitted.

A constable typically is not permitted to seize a person. An exception to that general rule is when self-defense applies.

Here, self-defense did not apply because the constable was able to escape safely but did not.⁶ Because the doctrine of self-defense does not apply, the constable's seizure of the person was not permissible.

Example 16: Constable Calls Police

A constable serves papers on a person. That person starts to threaten the constable with physical violence. The constable calls the police. The police arrive and place the person under arrest. The constable leaves.

The constable's actions are permitted.

A constable can call the police, like any other person can. The fact that a constable cannot themselves arrest a person does not bar a constable from calling the police, like anyone else, to report a crime or to be protected from harm.

III. REMOVAL OF PROPERTY

Example 17: Eviction and Removal of Personal Items

A constable, as part of an eviction, is removing items from a residence. The person who had been living in that residence tells the constable not to remove the items. The constable continues to remove the items according to the order of eviction. The constable does not use or threaten force and does not do or say anything that can be considered threatening towards the person.

The constable's actions are permitted.

Mere removal of items from a residence in accordance with a lawful order of eviction is not an arrest or a seizure. Nor is it a police duty or function.

Example 18: Eviction and Call to the Police (Threatening Individual)

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence refuses to get off the bed, which is still located in the residence. The constable removes all other items in the residence and calls the police to assist with the person in the bed. The police arrive and remove the person. The constable then removes the bed.

The constable's actions are permitted.

Mere removal of items in accordance with a lawful order of eviction is permissible. The constable did not seize or arrest the person in the residence, nor did the constable engage in a police duty or function. Instead, the constable lawfully called the police who removed the person from the residence.

Example 19: Eviction and Call to the Police (Threatening Crowd)

A constable, as part of an eviction, is removing items from a residence. A crowd of people surround the residence and start shouting for the constable to stop removing items. The constable continues removing items. When the crowd becomes more hostile, the constable calls the police to assist. The police arrive. The police arrest one person. The constable continues to vacate the property.

The constable's actions are permitted.

The constable did not arrest or seize anyone, nor did the constable perform a police duty or function. When it seemed that physical force might be necessary, the constable called the police who engaged in the physical detention of a person.

A constable is permitted—in fact, encouraged—to contact the police when physical restraint or detention may be necessary or when a situation appears likely to lead to a physical confrontation.

Example 20: Eviction and Threat to Use a Gun

A constable, as part of an eviction, is removing items from a residence. The person who has been living in that residence asks the constable not to remove the items. The person is not threatening the constable but is blocking the constable's path to the items in the residence. The constable displays what appears to be a gun and tells the person that he doesn't want any problems. The person, afraid, no longer blocks the constable. The constable continues to vacate the property.

The constable's actions are not permitted.

In this situation, the constable displayed the gun in an effort to assert authority over the person and gain that person's compliance while the constable was carrying out the orders of the court. The person reasonably understood that was the constable's intention and complied. The constable's actions here were an exercise of a police duty or function, and there was no justification for the constable's actions under the doctrine of self-defense because the person was not threatening the constable with physical harm.

IV. POST-SCRIPT

Whether an action is permissible or not depends on the specific facts of a case. The examples above are meant to provide general guidance. They are not intended to serve as advice for any specific case, nor to function as legal advice. If you would like further help with a specific case, please contact a lawyer. You can find resources to find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

Further guidance regarding constables, certification, and the permissibility of constables' actions can be found in Guidance made available by the Massachusetts Peace Officer Standards and Training Commission:

<https://399759da.delivery.rocketcdn.me/wp->

[content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf](https://mapostcommission.gov/content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf)

If you have further questions about the requirements for law enforcement certifications or the statutes and regulations governing constables with respect to such certification, you can contact the Massachusetts Peace Officer Standards and Training Commission at: <https://mapostcommission.gov/>

¹ See M.G.L. c. 6E, 555 CMR 1.00, 555 CMR 6.00, 555 CMR 9.00; see also Massachusetts Peace Officer Standards and Training Commission, “Guidance for Constables and Other Law Enforcement Personnel Regarding 555 CMR 9.00” (June 4, 2025, 12:03 PM) <https://399759da.delivery.rocketcdn.me/wp-content/uploads/2025/02/Guidance-on-555-CMR-9.00-as-approved-on-09-14-23-Revised-021125.pdf>

² M.G.L. c. 6E, § 1 (defining a “law enforcement officer” to include “a constable executing an arrest for any reason”); 555 CMR 9.12 (explaining that a law enforcement officer may not execute an arrest or perform police duties or functions if that law enforcement officer is an uncertified constable). In this document, the term “certified” means certified as a law enforcement officer by the Massachusetts Peace Officer Standards and Training Commission pursuant to M.G.L. c. 6E, § 4, and 555 CMR 7.00 or 555 CMR 9.00.

³ Id.

⁴ See, e.g., Tinsley v. Town of Framingham, 485 Mass. 760, 769 (2020) (“An arrest occurs where there is (1) an actual or constructive seizure or detention of the person, [2] performed with the intention to effect an arrest and [3] so understood by the person detained.” (alterations in original) (internal citations and quotations omitted)).

⁵ See, e.g., Commonwealth v. Chambers, 465 Mass. 520, 528 (2013) (initial aggressor); Commonwealth v. King, 460 Mass. 80, 83 (2011) (proportionality of force); Commonwealth v. Mercado, 456 Mass. 198, 209 (2010) (duty to retreat).

⁶ See, e.g., Commonwealth v. Mercado, 456 Mass. 198, 209 (2010) (duty to retreat).

DOs and DON'Ts for CONSTABLES



Dated:

In recent years, statutes and regulations have impacted constables and the work they are permitted to do in Massachusetts.

The present document has been created to provide practical guidance about which actions are permitted and not permitted under Chapter 6E of the Massachusetts General Laws and Title 555 of the Code of Massachusetts Regulations.

For a violation of an applicable statute or regulation, the POST Commission reserves the right to impose any fine or sanction permitted by law. See e.g., M.G.L. c. 6E, § 3.

In this document, we will assume that the constables in question are acting in their capacity as constables and are not certified by the POST Commission.

Questions?

You can find additional information about the laws referenced above at the following website:

<https://mapostcommission.gov/about-post/regulations-advisories-and-guidance/>

If you have general questions about those laws, you can contact the POST Commission at 617-701-8401.

If you seek legal advice about a specific case, you can find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

DOs

Serve Papers. A constable may serve papers on an individual, even when those papers include ~~capias warrants or~~ orders from a court or notice of a capias warrant.

Remove Property. A constable may remove items from a residence as part of a lawful eviction.

Call the Police. A constable is permitted—in fact, encouraged—to call the police if an individual is acting in a way that the constable believes might escalate into physical violence. A constable may also call the police if there is a need to detain someone or to remove someone physically from an area or residence.

Act in Self-Defense. Constables may protect themselves, like any other person, according to the laws of self-defense. Generally speaking, to be protected by the laws of self-defense, a constable, like any other person, cannot use more force than is reasonably necessary and cannot use force if there is a safe way to avoid using such force. The use of force should be a last resort, to be used only when a constable believes such force is necessary to protect the constable or another from the immediate danger of physical harm.

DON'Ts

Generally speaking, a constable may not engage in the conduct listed below. An exception exists in situations where a constable takes such actions in self-defense. (See above.)

Use Force. A constable is not permitted to use physical force to restrain an individual. Such impermissible force includes any form of deadly force or even pushing, striking, or holding an individual against that person's will.

Physically Detain. A constable is not permitted to physically detain an individual. Such impermissible detention includes, for example, placing an individual in handcuffs or holding an individual in place to prevent that individual from leaving.

Threaten to Detain or Use Force. A constable is not permitted to threaten to detain an individual or threaten to use force against an individual in an effort to make an individual comply with the constable's commands. Such impermissible threats include not only direct threats but indirect and implied threats and especially include threats of deadly force facilitated by

the display of a firearm.

DOs and DON'Ts for CONSTABLES



Dated: December 2025

In recent years, statutes and regulations have impacted constables and the work they are permitted to do in Massachusetts.

The present document has been created to provide practical guidance about which actions are permitted and not permitted under Chapter 6E of the Massachusetts General Laws and Title 555 of the Code of Massachusetts Regulations.

For a violation of an applicable statute or regulation, the POST Commission reserves the right to impose any fine or sanction permitted by law. See e.g., M.G.L. c. 6E, § 3.

In this document, we will assume that the constables in question are acting in their capacity as constables and are not certified by the POST Commission.

Questions?

You can find additional information about the laws referenced above at the following website:

<https://mapostcommission.gov/about-post/regulations-advisories-and-guidance/>

If you have general questions about those laws, you can contact the POST Commission at 617-701-8401.

If you seek legal advice about a specific case, you can find a lawyer here: <https://www.mass.gov/info-details/finding-legal-help>

DOs

Serve Papers. A constable may serve papers on an individual, even when those papers include orders from a court or notice of a *capias* warrant.

Remove Property. A constable may remove items from a residence as part of a lawful eviction.

Call the Police. A constable is permitted—in fact, encouraged—to call the police if an individual is acting in a way that the constable believes might escalate into physical violence. A constable may also call the police if there is a need to detain someone or to remove someone physically from an area or residence.

Act in Self-Defense. Constables may protect themselves, like any other person, according to the laws of self-defense. Generally speaking, to be protected by the laws of self-defense, a constable, like any other person, cannot use more force than is reasonably necessary and cannot use force if there is a safe way to avoid using such force. The use of force should be a last resort, to be used only when a constable believes such force is necessary to protect the constable or another from the immediate danger of physical harm.

DON'Ts

Generally speaking, a constable may not engage in the conduct listed below. An exception exists in situations where a constable takes such actions in self-defense. (See above.)

Use Force. A constable is not permitted to use physical force to restrain an individual. Such impermissible force includes any form of deadly force or even pushing, striking, or holding an individual against that person's will.

Physically Detain. A constable is not permitted to physically detain an individual. Such impermissible detention includes, for example, placing an individual in handcuffs or holding an individual in place to prevent that individual from leaving.

Threaten to Detain or Use Force. A constable is not permitted to threaten to detain an individual or threaten to use force against an individual in an effort to make an individual comply with the constable's commands. Such impermissible threats include not only direct threats but indirect and implied threats and especially include threats of deadly force facilitated by the display of a firearm.

6a.



LAW
ENFORCEMENT
AGENCY (“LEA”)
CERTIFICATION

George Boateng, Legal Fellow
December 2025



DETAINEE TRANSPORTATION

Process:

- September 2025 – Initially presented to Commission
- November 2025 – Feedback from MPTC
- December 2025 – Comment letter from Massachusetts Chiefs of Police Association (MCOPA)

Key elements:

- Key principles
- Officer conduct
- Transport vehicles
- Searches
- Restraints
- Supervision and surveillance
- Transportation considerations
- Safety
- Transfer of detainee in custody
- Training



OFFICER CONDUCT

Prior Provision:

Encourage officers to explain to the detainee what the officer is doing and why, where the detainee is being transported and why, and any applicable next steps;

Proposed Revision:

Encourage officers to explain to the detainee, when time and circumstances reasonably permit, what the officer is doing and why, where the detainee is being transported and why, and any applicable next steps;



TRANSPORT VEHICLES

Prior Provision:

Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:

...

A requirement to search the part(s) of the transport vehicle accessible to a detainee;

Proposed Revision:

Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:

...

A requirement to search the part(s) of the transport vehicle reasonably accessible to a detainee;



SEARCHES

Prior Provision:

Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:

A requirement to search the detainee, which shall be done in the least intrusive and most effective manner necessary to safely and effectively transport the detainee, without humiliating or demeaning the detainee;

Proposed Revision:

Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:

A requirement to search the detainee, which shall be done in the least intrusive manner that is~~and most~~ effective ~~manner~~ necessary to safely and effectively transport the detainee ~~without humiliating or demeaning the detainee~~ in accordance with M.G.L. c. 276, § 1;



RESTRAINTS

Prior Provision:

Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:

...

A requirement to restrain the detainee, which shall be done in the least intrusive and restrictive manner necessary to safely and effectively transport the detainee, without intentionally causing risk of injury, actual injury, or undue pain or discomfort to the detainee;

Proposed Revision:

Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:

...

A requirement to restrain the detainee, which shall be done in the least intrusive and restrictive manner necessary to safely and effectively transport the detainee, which may be handcuffing, without intentionally causing risk of injury, actual injury, or undue pain or discomfort to the detainee;



SUPERVISION AND SURVEILLANCE

Prior Provision:

Direct officers to keep the detainee under constant supervision and surveillance, either by direct observation or through live audio- and/or video-transmission, throughout the time the detainee is in custody in preparation for transportation and/or being transported, except to conduct necessary law enforcement activities in accordance with the provision developed pursuant 555 CMR 13.03(8)(h)(4), which shall be done in the most expedient manner possible or until relieved by another officer;

Proposed Revision:

Direct officers to keep the detainee under ~~constant~~ regular supervision and surveillance, either by direct observation or through live audio- and/or video-transmission, throughout the time the detainee is in custody in preparation for transportation and/or being transported, except to conduct necessary law enforcement activities in accordance with the provision developed pursuant 555 CMR 13.03(8)(h)(4), which shall be done in the most expedient manner possible or until relieved by another officer;



TRANSPORTATION CONSIDERATIONS

Prior Provision:

A requirement to transport the detainee with at least one officer whose gender identity matches the gender identity of the detainee, when time, and circumstances reasonably permit;

Proposed Revision:

A requirement to make every effort to transport the detainee with at least one officer whose gender identity matches the gender identity of the detainee, when time, staffing, and operational conditions ~~and circumstances~~ reasonably permit;



Members of law enforcement and the public are encouraged to submit comments and suggestions to POSTC-comments@mass.gov



Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

To: Chair Margaret R. Hinkle
Commissioner Lester Baker
Commissioner Hanya H. Bluestone
Commissioner Lawrence Calderone
Commissioner Eddy Chrispin
Commissioner Deborah Hall
Commissioner Marsha V. Kazarosian
Commissioner Charlene D. Luma
Commissioner Clyde Talley

From: Annie E. Lee, Counsel
George Boateng, Legal Fellow

Re: Law Enforcement Agency Certification Standards – Detainee Transportation

Date: December 11, 2025

Under Massachusetts General Laws chapter 6E, section 5(b), the Commission is directed to develop agency certification standards in at least eight areas, of which “detainee transportation” is one.

The standard regarding detainee transportation was first presented to the Commission during its September 2025 meeting. Following that meeting, Commission staff sought feedback from the Municipal Police Training Committee (“MPTC”) and its staff; that feedback was provided during the MPTC’s November 2025 meeting. Following the MPTC’s meeting, the Commission received a comment letter from the Massachusetts Chiefs of Police Association (“MCOPA”).¹

The revised draft enclosed for the Commission’s review reflects proposed revisions based on feedback and suggestions provided by the MPTC and MCOPA. It is presented to the Commission for further discussion and feedback; it is ***not*** presented to the Commission for preliminary approval.

¹ A copy of MCOPA’s comment letter is attached to this memorandum as Exhibit A.

Those proposed revisions are as follows:²

- Officer conduct. In its comment letter, MCOPA noted that it is not always possible to verbally engage with a detainee at the time of transportation, such as when a detainee is noncompliant or combative and communication may escalate the risk to officers, detainees, or others. To address MCOPA's concern, the revised draft suggests adding the phrase "when time and circumstances reasonably permit." In developing other agency certification standards, the Commission and the MPTC have concluded that this phrase provides a reasonable way to account for unexpected circumstances, potential burdens on agencies, and other practical considerations.
- Transport vehicles. The initial draft provided that agencies should develop and implement a sub-policy or provision requiring officers to "search the part(s) of the transport vehicle accessible to a detainee." MCOPA suggested that this directive be revised so that officers are required to search "all areas reasonably accessible to the detainee during transport." The revised draft offers an edit that, while different in wording, incorporates the substance of MCOPA's suggestion; the subsection now directs officers to "search the part(s) of the transport vehicle *reasonably* accessible to a detainee."
- Searching a detainee. The MPTC and MCOPA raised concerns about the directive that officers search a detainee "in the least intrusive and most effective manner," noting that in some instances, searches are intended to be intrusive. The MPTC additionally raised concerns that the directive to search a detainee "without humiliating or demeaning" the detainee could potentially introduce ambiguity, as what is "humiliating or demeaning" may be subjective. To address those concerns, the revised draft directs officers to search detainees in the "least intrusive manner that is effective . . . in accordance with M.G.L. c. 276, § 1."³
- Restraining a detainee. Similarly, the MPTC raised concerns that the requirement to restrain a detainee in the "least intrusive and restrictive manner" was potentially ambiguous without a clear operational example. The revised draft attempts to provide clarity to this directive by specifying that handcuffing may be an acceptable manner of restraining a detainee.
- Supervision and surveillance. The MPTC and MCOPA raised concerns about the feasibility of keeping a detainee under "constant" supervision and surveillance, particularly in smaller agencies that tend to operate single-officer patrol units and may not have two-officer capacity for routine transports. To address such concerns, the

² The proposed revisions described in this memorandum do not include non-substantive revisions made to clarify or reorganize the standard, or to conform this standard with other standards that have been preliminarily approved by the Commission.

³ M.G.L. c. 276 § 1 pertains to: complaints for the issuance of search warrants; warrants for designated property or articles; searches incident to arrest; and documentary evidence subject to privileges.

revised draft proposes that officers be required to keep a detainee under “regular” supervision and surveillance.

- Transportation considerations. The MPTC and MCOPA raised concerns that requiring a detainee to be transported by at least one officer who shares the detainee’s gender identity may not always be possible, in light of staffing and operational challenges. To address these concerns while maintaining the intent of this directive, the revised draft proposes that officers be required to “make every effort to transport [a] detainee with at least one officer whose gender identity matches the gender identity of the detainee, when time, staffing, and operational conditions reasonably permit.”

Commission staff continues to consult with the MPTC and its staff and expects to present a revised detainee transportation standard to the Commission in due course.

555 CMR 13.00: LAW ENFORCEMENT AGENCY CERTIFICATION STANDARDS

Section

- 13.01: Purpose and Scope
- 13.02: Definitions`
- 13.03: Standards
- 13.04: Compliance
- 13.05: Assessment
- 13.06: Maintaining Compliance
- 13.07: Re-Assessment
- 13.08: Waiver
- 13.09: Enforcement and Disciplinary Action
- 13.10: Severability

13.02: Definitions

Agency. A Law Enforcement Agency as defined in M.G.L. c. 6E, § 1.

Custody. The state or condition in which an agency and/or an officer has deprived an individual of their freedom of action in any significant way.

Detainee. An individual in the agency’s custody.

Extended Length. Any distance over 100 miles, duration over two hours, or distance or duration that is deemed extended by the agency head or their designee.

Officer. A Law Enforcement Officer as defined in M.G.L. c. 6E, § 1.

Transport Vehicle. An agency-owned or -operated vehicle used to transport detainees.

Transport Vehicle Camera (TVC). A camera system intended to monitor the interior of all detainee holding areas within a transport vehicle, allowing an officer to monitor the actions and well-being of detainees being transported in real time, via live video.

Youth. An individual under the age of eighteen.

13.03: Standards

Each agency shall develop and implement written policies on the following topics in accordance with the following standards:

[RESERVED FOR STANDARDS ON OTHER SUBJECTS]

- (8) Detainee Transportation. An agency’s detainee transportation policy shall:

Agency Certification Standards – Detainee Transportation (DRAFT)

- (a) Emphasize the sanctity of life and bodily integrity consistent with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
- (b) Emphasize the dignified and respectful treatment of all detainees consistent with the agency's code of conduct policy developed pursuant to 555 CMR 13.03(3);
- (c) Encourage officers to explain to the detainee, when time and circumstances reasonably permit, what the officer is doing and why, where the detainee is being transported and why, and any applicable next steps;
- (d) Include a sub-policy or provision concerning transport vehicles, which shall address:
 - 1. The types of vehicles that may be used as transport vehicles;
 - 2. Any modifications necessary for a vehicle to be used as a transport vehicle; and
 - 3. The requirement to routinely inspect, maintain, and service vehicles used as transport vehicles;
- (e) Set forth specific and comprehensive procedures concerning the search of a transport vehicle, including:
 - 1. A provision addressing when the transport vehicle will be searched, which at a minimum, includes prior to placing a detainee in the vehicle, after transferring custody of a detainee, and upon assuming control of the vehicle;
 - 2. A requirement to search the part(s) of the transport vehicle reasonably accessible to a detainee; and
 - 3. A requirement to remove any items or articles discovered during a search;
- (f) Set forth specific and comprehensive procedures concerning the search and restraint of a detainee prior to transporting the detainee, including:
 - 1. A requirement to search the detainee, which shall be done in the least intrusive manner that is effective to safely and effectively transport the detainee, in accordance with M.G.L. c. 276, § 1;

Agency Certification Standards – Detainee Transportation (DRAFT)

2. A requirement to restrain the detainee, which shall be done in the least intrusive and restrictive manner necessary to safely and effectively transport the detainee, which may be handcuffing, without intentionally causing risk of injury, actual injury, or undue pain or discomfort to the detainee;
 3. A requirement to secure the detainee in the transport vehicle, which shall be done with appropriate restraining devices and a functioning seatbelt and to the degree necessary to prevent the detainee's escape and protect the detainee and transporting officers, but in any case, which shall prohibit the affixing of the detainee's restraints to any part of the transport vehicle; and
 4. A provision addressing the circumstances under which the use of force on a detainee is permitted or prohibited, consistent with 555 CMR 6.00, the agency's use of force policy developed pursuant to 555 CMR 13.03(1), and any other applicable law, rule, regulation, policy, or judicial or regulatory order;
- (g) Direct officers to keep the detainee under regular supervision and surveillance, either by direct observation or through live audio- and/or video-transmission, throughout the time the detainee is in custody in preparation for transportation and/or being transported, except to conduct necessary law enforcement activities in accordance with the provision developed pursuant 555 CMR 13.03(8)(h)(4), which shall be done in the most expedient manner possible or until relieved by another officer;
- (h) Set forth specific and comprehensive procedures concerning the transport of a detainee, including:
1. A requirement to make every effort to transport the detainee with at least one officer whose gender identity matches the gender identity of the detainee, when time, staffing, and operational conditions reasonably permit;
 2. A requirement to transport a detainee of a gender identity separately from a detainee of another gender identity, when time and circumstances reasonably permit;
 3. A requirement to transport the detainee without unnecessary delay; and
 4. A provision addressing the limited circumstances under which officers are permitted to or prohibited from conducting other law enforcement activities while transporting a detainee;

Agency Certification Standards – Detainee Transportation (DRAFT)

- (i) Include a sub-policy or provision concerning the transportation of youth detainees in accordance with the agency’s juvenile operations policy developed pursuant to 555 CMR 13.03(6)(g);
- (j) Include a sub-policy or provision concerning detainee safety that:
 - 1. Directs officers to operate the transport vehicle in a manner that aims to preserve the safety and security of all passengers;
 - 2. Directs officers to obey all traffic regulations, except when exigent circumstances exist;
 - 3. Prohibits officers from operating the transport vehicle in a manner intended to create discomfort to the detainee, including, but not limited to, by unnecessarily speeding, braking, or making sharp turns;
 - 4. Directs officers to provide an appropriate and timely medical response to, or otherwise procure appropriate medical assistance in a timely manner for, a detainee exhibiting signs of or complaining of injury or illness; and
 - 5. Prohibits officers from leaving the detainee unattended in the transport vehicle, except to conduct necessary law enforcement activities in accordance with the provision developed pursuant 555 CMR 13.03(8)(h)(4), which shall be done in the most expedient manner possible or until relieved by another officer;
- (k) Set forth specific and comprehensive requirements concerning communications with the party or entity that will receive the detainee, including information concerning:
 - 1. The detainee’s known or suspected physical condition;
 - 2. The detainee’s known or suspected mental health condition; and
 - 3. Any requests for medical attention;
- (l) If the agency has transport vehicles outfitted with TVCs, include a sub-policy or provision concerning the use of TVCs that:
 - 1. Directs officers to activate the TVC when transporting a detainee;
 - 2. Prohibits officers from deactivating the TVC until the transport has fully concluded and custody has been transferred; and

Agency Certification Standards – Detainee Transportation (DRAFT)

3. Otherwise complies with the standards set forth in 555 CMR 13.03(4)(1);
- (m) If the agency has body-worn cameras or in-car audio- or video-recording systems, include a sub-policy or provision concerning the use of such cameras or systems that:
1. Directs officers to activate their body-worn cameras or any in-car audio- or video-recording systems when transporting a detainee, except where the transport vehicle is outfitted with a TVC and the officer has activated the TVC;
 2. Prohibits officers from deactivating their body-worn cameras or any in-car audio- or video-recording systems until the transport has fully concluded and custody has been transferred; and
 3. Otherwise complies with the standards set forth in 555 CMR 13.03(4)(1);
- (n) Include a sub-policy or provision concerning the transport of a detainee for an extended length that addresses:
1. The use of toilet facilities by the detainee, as needed; and
 2. The provision of water and meals to the detainee, as needed;
- (o) Include a sub-policy or provision concerning protocols and procedures in the event of a detainee escape, motor vehicle accident, or other emergency; and
- (p) Ensure that all officers are trained by the agency in detainee transportation in accordance with all applicable training requirements.