

POST: Frequently Asked Questions

RECERTIFICATION OF ACTIVE OFFICERS

1. Who is required to be recertified by July 1, 2022?

- ALL officers, including chiefs, with the last name beginning with the letters A-H. This includes reserve officers, retired officers working details for your department, and all other full-time and part-time officers (A-H).
- If an officer graduated from a full-time academy after December 1, 2021, and your department has not filed an intake form and certification packet with POST because they worked in a reserve capacity prior to the academy (and were certified as an active officer on July 1, 2021), they must be recertified and included in this recertification phase if their name ends in A-H.

2. What do we submit for recertification?

- Each department will submit a 1) Submission Template (may submit up to 2 spreadsheets), and 2) a Signature page for officers attested to.
- If a chief is NOT attesting to an officer, then a separate signature is required PER officer (to include the written justification portion) and those signature pages would be submitted along with each officer's questionnaire.
- Questionnaires are required to be submitted only if an agency head is NOT attesting to their good moral character/fitness.
- If a chief's name falls in A-H, then a second signature page would be included with the Town Administrator/Chair of the Board of Selectmen (the hiring authority's) signature attesting to the chief's good moral character/fitness for employment.

3. I am unable to type my answer into the Submission Template/Spreadsheet for Question 15 and I don't see a dropdown. What do I do?

- Type in the **answer exactly as listed here** and it will be accepted on the spreadsheet:
 - Yes, with exceptions
 - Yes, no exceptions
 - Not conducted

4. Is a person working as a Police Officer full-time at the Federal Reserve or for a federal agency allowed to have his work hours count towards the 2400 hours work experience?

- MPTC would make the determination re: work experience hours. Some may go before the MPTC to be voted on due to unique circumstances. If the hours qualify, MPTC would then issue an exemption and a training verification letter for that officer.

5. I have an officer that is a D... but was recently married and now is a W. How to I treat this as it relates to recertification?

- This recertification may be submitted with A-H or they may recertify under "W". Include the maiden name (or married name depending on how you are submitting it) in the notes column of the spreadsheet.

6. Can a non-sworn employee be the interviewer/evaluator for the officer questionnaire?

- No, unless you are an agency head.

7. What do LEA's do with the Recertification Documents? Are these records subject to public records requests?

- Officer questionnaires are NOT submitted to POST. They remain on file with the department UNLESS the agency head or designee is not attesting to their good moral

POST: Frequently Asked Questions

character. If NOT attesting to the good moral character, the questionnaire must be submitted to POST.

- The questionnaires should be maintained in the officer's PERSONNEL FILE as it is considered confidential background investigation data. Note that POST presently intends to use such questions, the answers it receives, and related materials for other assessment instruments.
 - The attestations are worksheets used by your department to assist in filing the Submission Template. These documents are not required to be maintained on file. If a department chooses to maintain those documents, it is recommended by POST to store them in personnel files.
- 8. We have retirees working details for our department. Currently, legislation is pending to make them some kind of a reserve, special officer status, but that is ongoing. Do we need to recertify now or wait until they're hired under this law when it passes? They do in service every year.**
- If their last name is A-H, they need to be recertified. If they're wearing your uniform and carrying your department-issued weapon and have the requisite training, submit their names for recertification according to their last name.
- 9. Please speak to the MACLEA release about those NOT attending the A-H Bridge Academy and how they must attend yearly in service for firearms regardless as to whether their department carries a firearm.**
- MPTC has purchased firearms and will provide training facilities for those departments that do not carry. Those officers will requalify every year through MPTC. Officers working in unarmed SSPO capacities who are unable to attend the firearms training prior to this A-H recertification phase may be issued a conditional certification. The conditional certification would not prevent any police duties other than carrying a firearm. When the condition is met, full certification will be issued.
- 10. Who should administer the officer questionnaire?**
- The statute requires POST to "administer" an oral interview that should be carried out by a higher-ranking officer to the interviewee. The questionnaire may be emailed, handed to the officer, but then discussed with a senior officer.
- 11. As a chief of a town or college, who would attest to my good moral character and fitness for employment?**
- The Town Administrator or the Chair of the Board of Selectmen, or Vice President of the college - the appointing/hiring authority.
- 12. We have many officers who have not completed the psychological component. Will they be denied recertification? And what if we have some officers who had it 25 years ago, but we no longer have the names of the licensed professionals on file – may we answer "Yes"?**
- POST is asking if any such evaluation was conducted ever for any police employment. If the answer is "no", that is not cause for denial of recertification or suspension.
 - If an officer has had an evaluation administered by your department, but you no longer have a record on file, you may still answer "yes" for purposes of this recertification.
- 13. What do we do when we have an officer who is out injured for an extended amount of time and will not meet the requirements for recertification for a significant amount of time? How long would an officer have under a conditional certification to return to full duty in order to**

POST: Frequently Asked Questions

keep the basic certification? Is there a period of time, after which the officer would have to go back through an academy?

- Some officers may be out on leave, whether it is due to an injury, illness, military leave, etc., so you would not be able to check some boxes. Indicate in the “notes” column the reason(s) why and their anticipated date of return, if known. If the leave is for an extended period of time, the officer may remain “inactive” and receive a conditional certification upon return to allow the officer to complete requirements such as in-service, etc., but they would be “certified” to work as a police officer during that time. Not being recertified is very different from being decertified. No officer in this category would be decertified, assuming there are no grounds for that form of disciplinary action.
- If an officer is out on leave in excess of 5 years, that is considered a break in service by MPTC and that officer would be required to attend a full-time academy upon return.

14. What happens if an officer has not completed in-service by the time we submit the list for recertification?

- If an officer has not completed any of the required FY 2022 in-service training and is considered “overdue” by your department, then answer “No”. This would be considered a “technical deficiency” and the officer would be issued a conditional certification allowing all police powers, unless the department exercises discretion to limit the officer’s powers and duties in accordance with POSTC guidelines. The certification would be subject to the condition that they must complete the training within a specific time period (ex. 90 days). If the condition has not been met by that specified time, POSTC may take action against the officer’s certification if there are no articulable circumstances preventing them from completing same.
- If the officer is up-to-date, has completed FY 2021 in-service training, your department did not require completion of all training before the recertification documents are submitted to POST (because it was prior to the end of FY 2022), and that officer is deemed to be in compliance with your department requirements, you may answer “Yes” to that question.

15. Several members of my department have not ever been subject to a physical fitness exam through the MPTC, but have had physical fitness exams through occupational health facilities prior to employment. Do those count towards this?

- Yes, the occupational health medical evaluations, assuming they were related to employment in law enforcement, for the purposes of this A-Z (all officer) recertification.

16. Can you explain the 24 hours of specialized training and 16 hours of elective training?

- 24 hours of specialized “core” training is identified by MPTC. The 16 hours of additional training is training the officer elects to take or extra training the specific agency requires in addition to the “core” in-service MPTC requirements (which changes annually).

17. What happens if CPR training has not been completed?

- If not completed, a conditional certification may be issued, in which case that officer would be required to complete the requirement within a specified period of time (TBD).

18. What will you be doing to improve communication by POST?

- Director of Communications Cindy Campbell was recently hired to assist POST in this area.
- We will post and update a FAQ section on the POST website.

POST: Frequently Asked Questions

- POST plans on distributing joint “newsletters” with MPTC through MPTC’s distribution list to provide POST updates and to offer more clarity on relevant issues on a regular basis.

19. Have there been any changes to the recertification questionnaire?

- Yes, we have modified #5 about suspensions. It asks if an officer has been suspended for more than 5 days or due to allegations of bias. The phrasing has been revised, but the substance of the question remains the same.

20. Relative to Question #5 of the Officer Questionnaire, do you consider administrative leave pending investigation as a "paid suspension"?

- No, the suspension referenced in this question is a suspension imposed as disciplinary action after an investigation has been completed.

21. My department is about 99% complete with in service trainings. When is the spreadsheet/Submission Template due? We have some hours for shooting requirements in the Spring.

- June 15th is the due date for the recertification documents to be uploaded to JIRA, the system that will be introduced as POST’s interim database solution. [Refer to FAQ #14.]

22. How does an officer answer Questionnaire #7 if they were/are affiliated with an organization or group that was known to participate in discriminatory practices?

- Note that the question extends only to unlawful discrimination.
- This is a standard of "reasonableness". If one did answer “yes”, a description would be included under the question explaining the affiliation. Again, these are identified as topics to be discussed with the officer and answers, independently, will not automatically decertify an officer.
- POST would only further review this if a department expressed concern relative to an officer’s particular affiliation.

23. What if an officer refuses to answer/fill out the questionnaire? May an officer have legal counsel present? May departments audio record the interview?

- The questionnaire is POST’s method of “administering” the oral interview, one criterion that must be met to qualify the officer for certification and/or recertification as a police officer. If an officer elects not to answer the questions, for reasons not allowed in the instructions, they are not in compliance with POST requirements and the agency head must bring that to the attention of POST. The POST Commission would determine what action would be taken against that officer’s certification.
- POST is not responsible for recommending or denying legal counsel presence during an interview – this is the decision of the officer. POST is not involved in departmental policy relative to audio recording of the interview and the audio recording would not be requested to be submitted by POST for the purposes of recertification.
- An officer should be afforded at least 48 hours in which to complete the questionnaire.
- IMPORTANT NOTE: If an officer elects to not check a “yes” or “no” box on the questionnaire but adds a statement in the narrative section of that question, this satisfies the requirement of answering the question according to POST. For example, it is acceptable for an officer to answer, “No, not to my knowledge” or “Yes, to the best of my recollection”.

POST: Frequently Asked Questions

24. We are an SSPO department. Along with the POST requirements, are we still required to recertify through the state police licensing unit for the SSPO powers?

- Yes, process remains the same for state police warrant. SSPOs still receive their powers through the Colonel of the state police. If a warrant expires, but your POST Certification is active, there is no need to seek recertification, you would only have to renew your warrant through MSP.
- For new SSPOs, the POST certification will be issued to the MSP and they will forward it to the SSPO along with the MSP warrant.

25. What happens to officers a chief does not attest to?

- The officer will be provided the signature page BY THE AGENCY HEAD stating that the agency head does not attest to their good moral character/fitness for employment as a police officer and the agency head must provide the explanation or justification for that on the same signature page. The officer will be allowed to respond to that before POST. Exact procedures are being drafted by POST at this time.
- This would be cause for further review by POST and would not result in an automatic denial of certification.

26. What happens to officers on “Brady List”?

- This will have to be a case-by-case review by POST. It is understood that not all counties have such a list and that different counties may have different standards for determining whether an officer is placed on such a list. POST will be equitable and will evaluate circumstances individually.
- As far as a chief attesting or not attesting to an officer’s character, it is a judgement call by the chief based on the officer’s actions and fulfillment of duty with that department.

27. If an officer recently or within the last year graduated a full-time police academy do we include them on the list?

- No, not if they have already received a certification notification from POST. Any officer that has graduated from a full-time academy as of 12/1/21, should have had an intake form and certification packet submitted by the department to POST if they are actively working.

28. Reserve police officers are on same list with full-time, correct?

- Reserve officers should be on same template/spreadsheet/list as full-time officers. If they have not completed the bridge, indicate whether they’re enrolled or if they’re currently attending and anticipated graduation date.

29. What if a reserve officer hasn’t completed their hours yet?

- If an officer works full-time, they have until 1/1/23 to complete the work hours, if part-time, they have until 1/1/27 to complete their work hours.
- If an officer is A-H and has not completed their work experience hours, a conditional certification may be issued allowing that officer to work with full police powers. Upon completion of the hours, POST should be notified by that department and the condition would be removed and the officer would receive their full certification.

30. I have 2 reserve officers that work in another town, do I need to attest to them?

- If another department has that officer hired full-time, that department should provide the recertification documents to POST. If they are hired part-time equally by multiple departments, the department they worked for first should do so. All departments that

POST: Frequently Asked Questions

employ that officer should ensure that the officer is being “sponsored” by one department and complying with POST filings. The officer has the responsibility to ensure an attestation is being filed on their behalf as well.

31. We have a reserve officer (in the A-H group) who will not ever reach the required 2400 hours and is not attending the Bridge Academy, will his certification expire on 6/30/2022?

- Yes, his certification will expire and as of July 1, 2022, he will no longer be authorized to be employed as a police officer.

32. We have police officers (officers who attended a full-time academy or Bridge Academy) working as security officers. Would they be treated as "new employees/new hires" even though they have worked for the department?

- If they have attended a full-time or Bridge academy in the past and were employed as an officer on 7/1/21, then they will be considered an active police officer and will be up for recertification according to their full name.
- If they have the above training and were not employed as a police officer (full-time or part-time) on 7/1/21, then they would be treated as a new hire and the department would have to file the New Officer Hire Certification Packet located on the POST Commission website under Certification Documents.

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

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

CERTIFICATION OF NEW GRADUATE OFFICERS

34. For officers that just graduated from a full-time academy, where do we submit the Certification Packets? Are they supposed to go in Acadis? If so, where?

- For all candidates entering an academy AFTER July 1, 2022, the POST documents (intake forms and certification packets) will be uploaded into Acadis along with MPTC forms at least 2 weeks prior to the academy start date. MPTC will provide instructions as to where to upload POST documents. POST will review these documents within ACADIS, then upon the officer’s graduation, the POST certification will be issued via email to the new officer and the department designee will receive a copy.
- Prior to July 1, 2022, Intake Forms and Certification Packets (attestations and questionnaires) must be filed with POST at POSTCertification@mass.gov.
- If an officer has graduated from a full-time academy AFTER December 1, 2021, they must be certified prior to working in a police officer capacity.