

550 CMR 3.00: REQUIREMENTS FOR LAW ENFORCEMENT OFFICER TRAINING

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3.01: Purpose and Scope

(1) Purpose. 550 CMR 3.00 is promulgated in accordance with the provisions of M.G.L. c. 30A in furtherance of M.G.L. c. 6, §§ 116 and 118, and M.G.L. c. 41, § 96B for the purpose of establishing training standards and requirements for law enforcement officers through trainings provided by or authorized by the Municipal Police Training Committee pursuant to M.G.L. c. 6, § 116. 550 CMR 3.00 identifies standards for the screening of all applicants for admission to police academies and for background investigations for all persons appointed to police academies and initial appointments of those officers.

(2) Scope. 550 CMR 3.00 shall apply to all law enforcement officers as defined in 550 CMR 3.02 and to all training provided or authorized by the Municipal Police Training Committee.

3.02: Definitions

Academy Director. A person tasked with overseeing and directing a police academy.

Action Notice. A written notice provided to a student officer by an academy staff member setting forth a disciplinary offense or performance issue and any action taken to address said offense or issue.

Authorized Academy. A police academy whose operation is approved by the Municipal Police Training Committee.

Bridge Academy Training. The training program established pursuant to St. 2020, c. 253, § 102(b) for law enforcement officers who were working in Massachusetts and certified by the Massachusetts Peace Officer Standards and Training Commission (POST) as of December 1, 2021, who had not previously completed an MPTC police academy or its equivalent.

Chief of Training. A staff member tasked with overseeing and directing the Municipal Police Training Committee's training programs.

Committee. The Municipal Police Training Committee (MPTC) or its agency staff acting on its behalf, where applicable, or both.

Executive Director. The executive director of the Municipal Police Training Committee.

In-service Training. Mandatory training to be completed annually by all law enforcement officers.

Massachusetts Police Officer Core Competency Assessment. A written exam designed to test an individual's knowledge of Massachusetts criminal laws and procedure.

3.02: continued

Law Enforcement Agency (Agency).

- (a) A state, county, municipal or district law enforcement agency including, but not limited to: a city, town or district police department, the office of environmental law enforcement, the University of Massachusetts police department, the department of the state police, the Massachusetts Port Authority police department, also known as the Port of Boston Authority police department, and the Massachusetts Bay Transportation Authority police department;
- (b) a sheriff's department in its performance of police duties and functions;
- (c) a public or private college, university or other educational institution or hospital police department;
- (d) a humane society police department in M.G.L. c. 22C, § 59; or
- (e) any other law enforcement agency subject to POST certification requirements.

Law Enforcement Officer (Officer). A person who

- (a) receives an appointment to a position in which he or she will perform police duties and functions as a municipal police officer, Massachusetts Bay Transportation Authority police officer, Massachusetts environmental law enforcement officer, University of Massachusetts police officer, campus police officer, deputy sheriff appointed pursuant to M.G.L. c. 37, § 3 performing police duties and functions;
- (b) any other law enforcement officer subject to POST certification requirements or;
- (c) an individual performing police duties and functions that the Committee agrees to train within its discretion.

Operated Academy. A police academy whose operation is financed and staffed by the Municipal Police Training Committee.

Police Duties and Functions. Authorized conduct that includes, but is not limited to, maintaining the peace through community engagement, conducting investigations, conducting traffic enforcement and responding to emergencies, entering premises for purposes of searching and/or seizing property, interviewing or questioning individuals, and making arrests or detaining individuals while committed to procedural justice in the community served by upholding constitutional rights.

Peace Officer Standards and Training Commission (POST). The agency established in M.G.L. c. 6E.

Police Academy. An entry-level academy operated or authorized by the Municipal Police Training Committee that has the prescribed course of study that a law enforcement officer must satisfactorily complete prior to performing police duties and functions in Massachusetts.

Reserve/Intermittent Police Officer. A person who received an appointment to a part-time reserve/intermittent position in Massachusetts in which he or she performs police duties and functions for a law enforcement agency.

Reserve/Intermittent Training Program. An entry-level training program operated or authorized by the Municipal Police Training Committee that was the prescribed course of study that a reserve/intermittent police officer had to satisfactorily complete prior to exercising police powers in Massachusetts prior to the passage of St. 2020, c. 253.

Specialized Training. Police training that is not police academy or in-service training.

Sponsored Candidate. A student officer enrolled by a law enforcement agency in a police academy but not appointed as a law enforcement officer at the time of enrollment.

Student Officer. An individual who is attending a police academy in order to perform police duties and functions.

3.03: Basic Training Requirements for Law Enforcement Officers

(1) Police Academy Training Requirement. Prior to performing police duties and functions an individual shall be assigned to and satisfactorily complete a police academy unless he or she is granted an exemption under 550 CMR 3.03(2)(a), are certified by POST pursuant to St. 2020, c. 253, § 102(b), or have been granted a temporary waiver under 550 CMR 3.03(3).

(2) Exemption from the Police Academy Training Requirement. In two limited circumstances listed in 550 CMR 3.03(2)(a) and (b) where an appointing/sponsoring agency can demonstrate that an individual has prior training and experience that, when considered together, would be the functional equivalent of having successfully completed a police academy training requirement, the agency head may petition the Committee to exempt that individual from completing the police academy training requirement. The Committee may grant an exemption if the appointing/sponsoring agency has provided sufficient documentation to establish that the individual meets all the requirements of one of the two circumstances in 550 CMR 3.03(2)(a) or (b). The appointing/sponsoring agency will be notified, in writing, within 30 days following the Committee's decision.

(a) Out of State Academy Training Exemption Requirements. No individual for whom an appointing/sponsoring agency is seeking an out of state academy training exemption may perform police duties and functions unless and until the exemption request has been granted by the Committee. The requesting agency must provide documentation satisfying the following requirements to make such a request:

1. A record of the entry-level police academy the individual attended, the hours of that academy, and the curriculum at the time of attendance,
2. All in-service, specialized and other required training courses completed by the individual,
3. Documentation that the individual has obtained a minimum of two years of full-time law enforcement experience as a police officer since completion of the entry-level police academy, and
4. Documentation that the individual has successfully completed the Massachusetts Police Officer Core Competency Assessment. A passing score on the assessment is 70% or higher. An officer may not attempt the assessment more than three times in a 12-month period.

(b) MPTC Bridge Academy Training Exemption Requirements.

1. A record of the individual's successful completion of a reserve/intermittent training program,
2. The individual's successful completion of the MPTC Bridge Academy Training Program, and
3. Documentation that the individual has performed 2,400 hours of police duties and functions.

MPTC Bridge Academy Training Exemptions will not be approved after January 1, 2027.

(3) Temporary Waiver from the Police Academy Training Requirement. In the event of a documented public safety emergency or other exigent circumstance, an appointing/sponsoring agency may request that a reserve/intermittent officer be elevated to full-time status for a period not to exceed 270 days prior to attending the police academy. The Committee may grant a temporary waiver if the agency has provided sufficient documentation to establish that the individual meets all of the requirements set forth in 550 CMR 3.03(3)(a), (b) (c). The agency will be notified, in writing, within 30 days following the Committee's decision. No individual may perform police duties and functions on a full-time basis unless and until the temporary waiver has been granted by the Committee.

1. A record of the officer's successful completion of a reserve/intermittent training program,
2. The officer's current certification in first aid and cardiopulmonary resuscitation (CPR) pursuant to M.G.L. c. 111, § 201, and
3. The officer's current qualification in the use of firearms by an MPTC certified firearms instructor.

During the 270-day waiver period, the officer must become enrolled in and commence attendance at a police academy. Temporary waivers from the police academy training requirement will not be approved after January 1, 2027.

3.03: continued

(4) Appointment as a Law Enforcement Officer after Graduation. Within three years of graduating from a police academy, an individual must become certified by POST as a law enforcement officer. Failure to be certified within three years will require the individual to re-attend the police academy. An individual who does not become certified within the three-year requirement due to a documented unavoidable extenuating circumstance such as an injury or physical disability or military activation may apply to the Committee to waive this requirement, subject to the training requirements in 550 CMR 3.04. Police academy graduates must complete all Committee mandated in-service training requirements missed since graduation prior to performing police duties and functions.

3.04: Training Requirements Following an Interruption in Police Service

(1) Interruptions in Service of Less than Three Years. Officers who have an interruption in service of less than three years where they have not performed police duties and functions must meet the following requirements before performing police duties and functions:

- (a) Complete all mandated in-service training missed during the interruption,
- (b) Be currently certified in first aid and cardiopulmonary resuscitation (CPR) pursuant to M.G.L. c. 111, § 201, and
- (c) Be qualified in the use of firearms by an MPTC certified firearms instructor.

(2) Interruptions in Service of Three Years or More and Less than Five Years. Officers who have an interruption in service of three years or more and less than five years where they have not performed police duties and functions must meet the following requirements before performing police duties and functions:

- (a) Requirements set out above in 550 CMR 3.04(1);
- (b) Complete any additional training required by the appointing/sponsoring agency including, but not limited to, field training programs; and
- (c) Pass the Massachusetts Police Officer Core Competency Assessment.

(3) Interruptions of Five or More Years. Officers who have an interruption in service of five or more years where they have not performed police duties and functions must complete a police academy unless the officer can demonstrate to the satisfaction of the Committee that the officer has been involved in the police profession to a level and degree that reasonably assures that he or she has stayed abreast of legal, ethical, and professional issues relevant to municipal policing in Massachusetts. If such showing is made, the Committee may approve a modified training requirement to include, at a minimum, passing the Massachusetts Police Officer Core Competency Assessment.

3.05: Committee Policies and Procedures/Police Academy Operational Rules

(1) Committee Policies and Procedures. The Committee may establish policies and procedures provided it does not contravene 550 CMR 3.00.

(2) Operational Rules. Individual police academies may develop operational rules as are deemed necessary for the effective and efficient operation of the academy and that are not covered by the Committee's policies and procedures. Academy rules shall not contravene 550 CMR 3.00 or the Committee's policies and procedures. Operational rules must be approved in writing by the executive director or their designee prior to implementation.

(3) Concurrent Authority. A student officer is subject to the policies, procedures, rules and regulations of the appointing/sponsoring agency, the Committee, and the police academy in which the student officer is enrolled.

(4) Dissemination. Each student officer shall be provided with a copy of 550 CMR 3.00, applicable Committee policies and procedures, and any police academy operational rules established pursuant to 550 CMR 3.05(2). A properly executed Statement of Compliance, signed by both the student officer and the agency head of the appointing/sponsoring agency, must be submitted as part of the enrollment process.

3.06: Police Academy Training

550 CMR 3.06 shall apply to authorized academies and operated academies.

(1) Enrollment. Candidates accepted into a police academy must meet the following minimum requirements:

- (a) Be 21 years of age or older,
- (b) Appointed or sponsored by a law enforcement agency or, if authorized by the Committee, some other appointing authority,
- (c) Successfully completed a high school education or equivalent,
- (d) Pass a state and national background check pursuant to M.G.L. c. 6E § 4(f)(1),
- (e) Pass the Massachusetts Human Resource Division's Physical Ability Test (PAT),
- (f) Pass a medical examination within nine months prior to the start of a police academy,
- (g) Pass pre-academy fitness standards as set forth by the Committee,
- (h) Meet other standards established by the Committee,
- (i) Have a signed Waiver and Release form. All issues of civil liability shall be determined in accordance with M.G.L. c. 258 and other applicable law.

(2) Attendance/Absences.

(A) Attendance. Student officers are expected to attend punctually and participate fully in all scheduled classes, assignments, field exercises, and formations, except in cases of the following excused absences: agency authorized bereavement; illness or injury; required court appearance as a witness or juror; required civic duty; military duty; emergency; or other absence authorized by the academy director or appointing/sponsoring agency head. Any student officer requesting leave/absence for one of these enumerated reasons shall promptly notify the academy director and appointing/sponsoring agency well in advance of the absence. All other absences shall be considered un-excused. Any student officer who misses a statutorily mandated class due to an absence must make up the class.

(b) Excessive Absences. Any student officer who is absent from more than 5% of the prescribed course of study, whether excused or unexcused, may be dismissed for non-disciplinary reasons. In determining whether to dismiss a student officer who has missed more than 5% of the prescribed course of study, the academy director shall consider remedial training options and the student officer's performance and disciplinary record during the police academy. If dismissal is not warranted, then an Action Notice shall issue. Any student officer who is absent from more than 10% of the prescribed course of study shall be dismissed for non-disciplinary reasons.

(3) Performance.

(a) Performance Requirements. Every student officer shall successfully complete the requirements prescribed by the Committee in each of three performance areas:

- 1. academic,
- 2. skills, and
- 3. health and wellness.

(b) Missed Tests. The academy director will reschedule any test missed because of an absence.

(c) Failed Tests. Any student officer who fails to attain a passing score on a test shall be promptly notified in writing by the academy director through the issuance of an Action Notice.

1. Remedial Training. Any student officer who fails to attain a passing score on a test shall be responsible for any remedial training on the student officer's own time and at the student officer's own expense or that of the appointing/ sponsoring agency.

2. Retests. Any student officer who fails to attain a passing score on a test prior to the final exam shall be offered a retest within two weeks. Any student officer who fails any of the four sections of the final exam shall be given an opportunity to retake that portion of the exam within one week. Attaining a passing score on a retest will result in the recording of the minimal passing score.

(d) Non-disciplinary Dismissal for Performance Deficiencies. Any student officer who fails to attain a passing score on any retest shall be dismissed for non-disciplinary reasons. Any student officer who fails three tests prior to the final exam shall be dismissed for non-disciplinary reasons. Any student officer who otherwise fails to successfully complete performance requirements prescribed by the Committee shall be dismissed for non-disciplinary reasons.

## 3.06: continued

(4) Separation.

(a) Categories of Separation. A student officer may become separated from a police academy at any time after beginning but before completing the prescribed course of study. A Separation Notice shall be completed by the academy director and distributed in accordance with the directions on the form. For purposes of 550 CMR 3.00, the categories of separation from a police academy are defined as follows:

1. Medical Deferment. A student officer who sustains an injury while participating in police academy training or is diagnosed with a medical condition that prohibits them from participating in the police academy training may be granted a medical deferment separation upon request of the appointing/sponsoring agency head. A diagnosed medical condition shall not include a physical injury that occurs outside of police academy training. To qualify for a medical deferment, the student officer must be under the care of a medical physician who determines the student officer is unable to return to the police academy training or is unable to participate in the physical requirements of the curricula for a period of time that causes the student officer to exceed the excessive absences or maximum allowable Modified Health and Wellness Program absences, as described in the *Health and Wellness Guide* portion of the curriculum.
    - a. If granted, the medical deferment begins the date the Separation Notice is issued and expires one year from that date.
    - b. Prior to being accepted for readmission, the student officer must furnish a statement from a medical physician confirming that the student officer's injury or medical condition has resolved, and the student officer is physically able to fully participate in training without restrictions.
    - c. If the student officer has not reentered a police academy prior to the expiration of the medical deferment, all application, admission, and tuition requirements shall apply and must be met if the student officer reapplies to attend a police academy.
  2. Voluntary Resignation. A student officer may initiate a voluntary resignation if, without coercion and for personal reasons, the student officer chooses to withdraw from the police academy. The student officer shall make the request to withdraw in writing to the academy director, who shall notify the appointing/sponsoring agency head. Student officers separated under 550 CMR 3.06(4)(a)2. shall be eligible for enrollment in a subsequent police academy, subject to appropriate appointment/sponsorship and compliance with applicable enrollment requirements.
  3. Withdrawal by Appointing/Sponsoring Agency. A student officer's appointing/sponsoring agency may initiate the withdrawal of a student officer from the police academy. Student officers separated under 550 CMR 3.06(4)(a)3. shall be eligible for enrollment in a subsequent police academy, subject to appropriate appointment/sponsorship and compliance with applicable enrollment requirements.
  4. Dismissal for Non-disciplinary Reasons. A student officer may be dismissed from a police academy for non-disciplinary reasons including, but not limited to, nonpayment of required fees, excessive absences, or performance deficiency. Dismissal for non-disciplinary reasons may only be initiated by the academy director. Student officers separated under 550 CMR 3.06(4)4. shall be eligible for enrollment in a subsequent police academy, subject to appropriate appointment/sponsorship and compliance with applicable enrollment requirements.
  5. Dismissal for Disciplinary Reasons. A student officer may be dismissed from a police academy for disciplinary reasons. Dismissal for disciplinary reasons may only be initiated by the academy director or the Chief of Training for the Committee. Student officers separated under 550 CMR 3.06(4)5. shall be ineligible for enrollment in any subsequent police academy for a period of not less than one year nor more than 20 years from the date of separation.
- (b) Appeals. The Committee shall establish policies and procedures for appeals from a dismissal for disciplinary reasons. There is no right of appeal from dismissals for non-disciplinary reasons.

## 3.06: continued

(5) Academy Offenses/Progressive Discipline.

(a) Classes of Offenses. Academy offenses are set forth in the Committee's policies and procedures and may be supplemented by academy-specific operational rules approved pursuant to 550 CMR 3.05(2). Academy offenses have been categorized into three classes, determined by the seriousness of the offense, as follows:

1. Class I. Commission of a Class I offense may, with the approval of the Chief of Training for the Committee, result in dismissal from the academy for disciplinary reasons pursuant to 550 CMR 3.00. If the Chief of Training for the Committee determines that the circumstances do not warrant dismissal, then a written disciplinary warning must issue.
2. Class II. Commission of a Class II offense shall, at a minimum, result in the issuance of a written disciplinary warning to the student officer.
3. Class III. Commission of a Class III offense shall, at a minimum, result in the student officer preparing a "To-From" memorandum to the academy director or a staff instructor in which the student officer acknowledges the breach and relates to the subject of the breach to police service.

(b) Progressive Discipline. In keeping with the concept of progressive discipline, corrective action shall be consistent with, and appropriate for, the student officer's conduct that resulted in the breach, and any other history of misconduct while at the academy. The following levels of escalating corrective action shall be utilized:

1. "To-From" Memorandum. The student officer shall write a "To-From" memorandum for all offenses. This level of corrective action, by itself, shall not be considered disciplinary.
2. Admonishment and Counseling. Commission of any Class III offense for which there is no reasonable explanation, in the discretion of the academy director or a staff instructor, shall result in admonishment and counseling. An Action Notice setting forth the offense(s) violated, the action taken, and the potential consequences of additional violations shall be completed by the academy director or applicable staff instructor and distributed in accordance with the directions on the form.
3. Oral Disciplinary Warning. Commission of any Class III offense after admonishment and counseling shall result in an oral disciplinary warning being issued to the student officer by the academy director or a staff instructor. An Action Notice setting forth the offense(s) violated, the action taken, and the potential consequences of additional violations shall be completed by the academy director or applicable staff instructor and distributed in accordance with the directions on the form.
3. Written Disciplinary Warning. Commission of any Class II offense, or commission of any Class III offense after an oral disciplinary warning, shall result in a written disciplinary warning being issued to the student officer. Only the academy director may issue a written disciplinary warning. An Action Notice setting forth the offense(s) violated, the action taken, and the potential consequences of additional violations shall be completed by the academy director and distributed in accordance with the directions on the form.

(c) Dismissal for Disciplinary Reasons. A student officer who commits any of the following may, with the approval of the Chief of Training for the Committee, be dismissed for disciplinary reasons:

1. Commission of a Class I offense, or
2. After receiving a written disciplinary warning, commission of a Class II offense, or
3. After receiving a written disciplinary warning, commission of any three additional Class III offenses, or commission of any two additional Class III offenses that are the same.

If the Chief of Training for the Committee determines that the circumstances do not warrant dismissal, then a written disciplinary warning must issue. An Action Notice setting forth the offense(s) violated, the action taken, and the potential consequences of additional violations shall be completed by the academy director and distributed in accordance with the directions on the form.

3.07: In-service Training

- (1) Requirements. Law enforcement officers are required to complete all components of in-service training annually. The training year will start on July 1<sup>st</sup> and end on June 30<sup>th</sup>. Officers who graduate from the police academy are not required to complete in-service training for the training year in which they graduate.
- (2) Components.
  - (a) 40 hours of in-service training annually. Each year the Committee will determine what curricula are to be taught and the manner of delivery to meet this requirement.
  - (b) First aid and cardiopulmonary resuscitation pursuant to M.G.L. c. 111, § 201.
  - (c) Annual MPTC firearms qualification and training standards regardless of whether the agency issues weapons to its officers.
- (3) Specialty Assignments. The Committee shall determine what annual curricula shall be taught and delivered to officers who hold specialized assignments.
- (4) Reporting. All law enforcement agencies are responsible for providing the Committee with records of completion of any training not offered by the Committee including, but not limited to, the title of the training, name of instructor, course description, and date, location, and hours of the training.

3.08: Specialized Training

- (1) Mandated Specialized Training. The Committee shall provide training and officers must complete said training when initially assigned including, but not limited to, the following specialty assignments:
  - (a) Law enforcement officers who receive an appointment to a position of a higher rank shall complete a course of supervisory training pursuant to M.G.L. c. 41, § 96B.
  - (b) Law enforcement officers who are assigned to a department or regional rape reporting and prosecution unit shall complete a course of training in the counseling of victims of rape and the prosecution of alleged perpetrators of the crime of rape pursuant to M.G.L. c. 41, § 97B.
  - (c) Upon their first promotion, officers shall complete a refresher seminar in suicide prevention pursuant to M.G.L. c. 40, § 36C.
- (2) Discretionary Specialized Training. The Committee may offer any other additional training within its discretion, subject to appropriation.

3.09: Training Compliance for Law Enforcement Officer Certification

All law enforcement officers must remain in compliance with the training requirements enumerated in 550 CMR 3.00 in order to be eligible for certification by the Peace Officer Standards and Training (POST) Commission pursuant to M.G.L. c. 6E. Any deferments or extensions for training requirements must be approved by the POST Commission.

REGULATORY AUTHORITY

550 CMR 3.00: M.G.L. c. 6, § 116.

(PAGES 33 THROUGH 42 ARE RESERVED FOR FUTURE USE.)