

## **Peace Officer Standards and Training Commission**

### **Recertification Packet: Part 1 Attestation Document**

#### **Agency Official's Attestation Regarding Law Enforcement Officer Recertification**

##### **General Instructions for Agency Head**

To be recertified as a law enforcement officer by the Peace Officer Standards and Training (POST) Commission in accordance with Chapter 6E of the Massachusetts General Laws, an officer must meet certain specified standards. The POST Commission thus asks that you provide this Recertification Packet to the individual(s) within your Agency who has been charged with evaluating the officer to ensure the criteria set forth in the statute have been met (the "Evaluator(s)"). The Evaluator(s) should ensure that the officer has answered certain questions on a written Questionnaire provided by the POST Commission (Part 2 of the Recertification Packet), review the answers and take other steps necessary to diligently complete a thorough examination of whether the officer satisfies all criteria for recertification, including possessing the requisite character and fitness for employment. The determination as to an officer's character and fitness for employment as a law enforcement officer should be based on the totality of the information obtained, including a review of the officer's personnel file and disciplinary records, if applicable. After completing the above steps, the Evaluator(s) should document the results in the Submission Template and execute the attestation below.

Agency Heads may delegate the due diligence and data input required to complete the attestation to an Evaluator(s), but the Agency Head's signature must still be provided on the Attestation Signature Form page in Part 1 of the Recertification Packet. An Agency Head or Evaluator's intentionally providing misleading or false information will be considered a complaint subject to investigation and possible sanction by the POST Commission.

## **Signature Page**

The Agency Head must submit a signature page separate from, and in addition to, the Submission Template, according to the instructions below. The Evaluator must read the instructions in this section but is not required to sign a document separate from the Submission Template.

Agencies may provide up to two submissions using the Submission Template:

### **Submission 1: Attestation Signature Page**

All officers for whom the Agency Head can attest to the good moral character and fitness for employment, with or without exceptions to other requirements. This signature page is not required to be filled out for each officer and may be submitted as one document for ALL officers that are attested to per Submission.

### **Submission 2: Non-attestation Signature Page**

Any officers for whom the Agency Head cannot attest to the good moral character and/or fitness for employment. If the Agency Head is unable to so attest, one page per officer is required.

For Submission 2, you must also complete the Justification Section for each such officer. Please note that the status as a Law Enforcement Officer of any individual without an attestation from the Agency Head may be categorized as "Pending/Not Certified" or "Conditionally Certified" and recertification of that individual officer will be delayed.

If information is provided in Submission 1 and Submission 2 for the same officer, Submission 2 will override any information from Submission 1.

Submission 1 and Submission 2 must account for all officers employed by your law enforcement agency with last names beginning with A-H who require recertification by the POST Commission by June 30, 2022.

## **Signature Instructions to Evaluator:**

The Evaluator, as detailed in the definitions section above, may be any officer of higher rank than the officer being reviewed. The Agency Head may choose to also be the Evaluator. The Evaluator should read the section below. If an Evaluator's name is listed on the Submission Template, this is notification to the POST Commission that the Evaluator has read and understood the below statement.

*I, the designated Evaluator, have reviewed the information collected relative to each officer evaluated by me. Such information includes the Questionnaire (Recertification Packet Part 2) completed by the Officer named on the Submission Template, as well as all records held by this Agency pertaining to the Officer, and hereby attest to the information provided. I have read this Recertification Packet and attest that the information provided herein is true and accurate to the best of my knowledge. Provision of my name on the Submission Template will serve as my attestation to the above for each officer evaluated by me.*

## A. Submission 1: Attestation Signature Page

### Attestation to Good Moral Character/Fitness for Employment

**Instructions:** The Agency Head cannot recommend the Officer for recertification without attesting to the Officer's good moral character and fitness for employment. The Agency Head should enter "yes" to attest to the Officer's good moral character and fitness for employment under Column Y. The Agency Head will be required to list their name on the Submission Template in Column Z for the officers who they are providing the attestation for and provide a signature below with respect to ALL officers they are attesting to.

*I attest that, to the best of my knowledge, the Officers named on the Submission Template (that have not been listed in Submission 2 of this section) are of good moral character and fit for employment in law enforcement.*

Signature of Agency Head: \_\_\_\_\_  
(e-signature acceptable)

## **B. Submission 2: Non-attestation Signature Page**

### **NOT Attesting to Good Moral Character/Fitness for Employment**

**Instructions:** Submission 2 is to be used if the Agency Head will not attest to the Officer's good moral character and fitness for employment. The Agency Head should enter "no" to not attest to the Officer's good moral character and fitness for employment under Column Y. The Agency Head will be required to also list their name on the Submission Template in Column Z as the authority who is unable to attest to such officers, and to provide their signature below, along with the justification.

If an Agency Head cannot attest to the good moral character and fitness for employment of a law enforcement officer, the POST Commission will require a report explaining the reason. Please provide this report in the "Justification" section below. The Agency must also provide a copy of this report to the Officer named and must inform the Officer that they have the right to submit a response to the POST Commission by June 30, 2022. Submit this Signature Page/Justification to the POST Commission along with the Submission Template.

Officer Name: \_\_\_\_\_ DOB: \_\_\_\_\_

*Based on the information considered, and the requirements of the statute, I believe the Officer named above and identified on the Submission Template as not attested to, does not possess the required good moral character and/or is not fit for employment as a law enforcement officer.*

Signature of Agency Head/Designee or Appointing Authority: \_\_\_\_\_  
(e-signature acceptable)

### **Justification for Not Attesting to Good Moral Character and/or Fitness for Employment**

**Explanation:**

## Appendix 1. Agency Attestation Worksheet

This worksheet has fillable fields to facilitate your data collection process; however, you are not required to complete this worksheet. DO NOT submit this worksheet to the POST Commission.

### **Officer and Evaluator Information**

The following information must be provided on the spreadsheet (Submission Template provided by the POST Commission).

The Evaluator may be any officer of higher rank than the officer being reviewed and may conduct the review and provide the Questionnaire to the Officer, as determined by the Agency Head.

Officer Name: \_\_\_\_\_  
Last First

Date of Birth: \_\_\_\_\_ ID #: \_\_\_\_\_

Officer Email: \_\_\_\_\_ Date of Hire: \_\_\_\_\_

Agency: \_\_\_\_\_

Evaluator Name: \_\_\_\_\_

### **Agency Attestation Questions**

Instructions: Please read the following questions and answer "Yes" or "No" in the corresponding column on the provided Submission Template (spreadsheet) or select the appropriate item on the dropdown menu under that question number. Indicating non-compliance with certain criteria or failure to attest to criteria will not automatically be cause for not recertifying the Officer but will prompt further review by the POST Commission. In some cases, this may result in a conditional certification requiring action within a specified time period by the Officer or allowing the Commission to conduct further review. (Refer to Appendix 2 for detailed instructions relative to each question, if needed.)

1. Has the Officer obtained a high school education or the equivalent?

Yes

No

2. Has the Officer: successfully completed a basic training program approved by the Municipal Police Training Committee (MPTC); **OR** received an exemption from the MPTC; **OR** successfully completed the MPTC Bridge Academy **AND** met the 2,400-hour work experience requirement?

Yes

No

3. Has the Officer passed an exam during basic training (to include exams administered by the MPTC or MPTC-authorized academies, the Massachusetts State Police, and the Boston Police Department)?

Yes

No

4. Is the Officer current with the last fiscal year (FY 2022) annual in-service training requirements to include 24 hours of specified training by the MPTC and 16 hours of elective training courses?

Yes

No

5. Has the Officer successfully completed, at any time prior to being hired by this Agency or at any time during employment by this Agency, and in connection with seeking or holding employment as a law enforcement officer, a physical fitness or medical evaluation?

Yes

No

6. Has the Officer successfully completed, at any time prior to being hired by this Agency or at any time during employment by this Agency, and in connection with seeking or holding employment as a law enforcement officer, a psychological evaluation by a licensed professional?

Yes

No

7. Has the Officer successfully completed, either prior to being hired by this Agency or during employment by this Agency, and in connection with seeking or holding employment as a law enforcement officer, a state and national background check,

including, but not limited to, fingerprinting and a full employment history check, and if previously employed in law enforcement, an evaluation of complaints and disciplinary records?

Yes

No

8. Is the Officer in possession of current first aid and cardiopulmonary resuscitation certificates or the equivalent?

Yes

No

9. Has the Officer ever been convicted of a felony in any jurisdiction?

Yes

No

10. Is the Officer listed on the National Decertification Index (NDI)?

Yes

No

11. Does the Officer have any disciplinary records on file with your Agency, or to your knowledge, any disciplinary records on file from prior employment as a police officer, in which a finding of misconduct was sustained?

Yes

No

12. If the answer to Question 11 is “yes,” have those records been submitted to the POST Commission? (If the answer to Question 11 is “no,” answer N/A on the Submission Template for this Question.)

Yes

No

N/A

13. Is the Officer currently the subject of an open complaint or internal investigation that meets the criteria for submission to the POST Commission?

Yes

No

14. If the answer to Question 13 is “yes,” has the complaint or investigation notification been submitted to the POST Commission? (If the answer to Question 13 is “no,” answer “N/A” on the Submission Template for this Question.)

Yes

No

N/A

15. Please provide the Officer with the Questionnaire (Recertification Packet Part 2) and review the responses. Are there exceptions (a term explained in the Instructions below) to the answers provided?

Yes

No

### **Narrative/Notes**

Please use the space below for the Agency Evaluators to provide explanations for answers. This form will NOT be submitted to the POST Commission and is provided for Agency use only to aid in data collection. The information in this “Narrative/Notes” section should be written into the “Notes” section on the Submission Template in plain text format with NO bullets, etc.

DO NOT CREATE NEW ROWS – USE ONE ROW PER OFFICER. If multiple rows are created, the Submission Template will be returned to the Agency.

The following are examples of information an Agency may include in this section.

*If answering “no” to Question 2 because a reserve officer has not completed the Bridge Academy or met the work experience requirement, provide an explanation with the anticipated date of completion of academy or hours worked.*

*If answering “no” to Question 4 because an officer is on leave (personal, medical, military, etc.) and is unable to fulfill annual in-service training requirements, describe the circumstances and anticipated date of return, if known.*

*If an officer has never had any type of physical or medical fitness evaluation for any employment as a police officer or psychological evaluation for any position as a police officer, at any time, please explain here.*



## Appendix 2. Instructions for Attestation Questions

The following is intended to be used as a guide in answering the attestation questions listed in Appendix 1.

### **Question 1: High School Education or the Equivalent**

No submission of proof is required at this time by the POST Commission, but documentation should be maintained on file with the Agency. Enter “yes” to indicate verification that the Officer has obtained a high school degree or the equivalent.

### **Question 2: Basic Training, Bridge Academy, or Exemption**

Enter “yes” if the Officer has successfully completed an MPTC-approved (or Criminal Justice Training Council-approved) full-time police academy or the equivalent.

Enter “yes” if the Officer has completed an MPTC-approved Bridge Academy AND has completed the 2,400 hours of law enforcement work experience.

Enter “yes” if the Officer has received an exemption from any requirement above by the MPTC.

*Enter “no” if the Officer has completed the Bridge Academy but has not completed the work experience hours. Enter an explanation of circumstances under Notes (Column Z) on the Submission Template. The Officer must remain working in a part-time “reserve officer” capacity until completion. Upon completion, a “new hire” POST Commission Certification Packet available on the POST Commission website under “Certification Documents” should be filed with the Commission for full certification.*

### **Question 3: Exam**

Enter “yes” to indicate that the Officer has passed an exam “approved” by the POST Commission. For purposes of this recertification, this refers to any exam passed as a requirement to successfully complete basic training (full-time or Bridge Academy training).

### **Question 4: Annual In-Service Training**

Enter “yes” to indicate that the Officer has successfully completed the fiscal year 2022 annual training to include 24 hours of MPTC-mandated training and 16 hours of training selected by the agency or officer. If not, enter “no” and indicate the reason and anticipated date of completion in the Notes column in the Submission Template.

*The POST Commission may audit law enforcement agencies to verify annual in-service training compliance of any officer, not only those with last names beginning with A-H. Law enforcement agencies are required to ensure all officers fulfill annual requirements prior to the end of each fiscal year, not only upon recertification.*

### **Question 5: Physical Fitness**

Enter “yes” if the Officer completed a physical fitness or medical fitness evaluation at any time in the past in relation to employment at any police agency or completion of any law enforcement training.

*If an officer had a medical fitness evaluation as part of the hiring process, regardless of how many years ago, this satisfies the criterion for the purposes of this recertification. The same applies to psychological evaluations (Question 6).*

**Question 6: Psychological Evaluation**

Enter “yes” if the Officer at any time in the past completed a psychological evaluation by your Agency or if you have verified completion of such evaluation through the hiring or employment process of another department.

**Question 7: State and National Background Check**

Enter “yes” if the Officer has successfully completed a background check by your Agency, including state and national checks, fingerprinting, employment history, and a review of any disciplinary records if previously employed by another law enforcement agency.

**Question 8: Current CPR and First Aid**

Enter “yes” if the Officer is up to date with CPR and first aid training/certificates (copies to be maintained on file with the Agency).

**Question 9: Felony**

Enter “no” to indicate the Officer has never been convicted of a felony.

**Question 10: NDI**

Enter “no” to indicate the Officer is not listed on the National Decertification Index.

*If you do not have a member conducting checks through the NDI, application for access may be made through IADLEST.org. Select “NDI” and “Request Access to the NDI”.*

**Question 11: Investigation with finding of misconduct sustained**

Enter “yes” if the Officer has been the subject of any internal investigation, whether prompted by an external/public complaint or initiated by the Agency, with a finding of misconduct sustained.

**Question 12: Disciplinary records submitted**

If the answer to Question 11 is “yes,” confirm that such records have been submitted to the POST Commission and enter “yes” to this Question 12 in the Submission Template. If the answer to Question 11 is “yes,” but such records have not been submitted to the POST Commission, file the reports following the instructions on the [POST Commission website](#). If the answer to Question 11 is “no,” then enter “N/A” for not applicable on the Submission Template.

**Question 13: Open complaint or investigation**

Enter “yes” if the Officer has an open complaint or open internal investigation. Types of complaints required to be filed with the POST Commission are detailed on the [POST Commission website](#) under Complaints and Incident Reports.

**Question 14: Complaint/investigation submitted**

If the answer to Question 13 is “yes,” confirm the information was submitted to the POST Commission and enter “yes” in the column on the Submission Template. If the answer to Question 13 is “yes,” but the complaint record was not forwarded to the POST Commission within 48 hours of receipt, then file the Misconduct Complaint Form following the instructions on the [POST Commission website](#). If the answer to Question 13 is “no,” enter “N/A” for not applicable on the Submission Template.

**Question 15: Oral Interview and Questionnaire**

Pursuant to M.G.L. c. 6E, § 4(f)(1)(viii), the Officer must successfully complete an “oral interview administered by the commission.” The provision of the Questionnaire (provided in Part 2 of the Recertification Packet) and discussion of the responses satisfies this requirement. Question 15 confirms that the Questionnaire was provided to the Officer, the Agency reviewed the responses, and they were discussed with the Officer. Exceptions are any answers that require following up such as the Officer’s indication that they are not current with tax payments or had a license to carry suspended for any reason. The answers to the questions must be reviewed and discussed if there are any exceptions. All Questionnaires must be maintained on file with the Agency. **DO NOT SUBMIT QUESTIONNAIRES TO THE POST COMMISSION UNLESS REQUESTED TO DO SO.**

- Enter “Yes,” with “No Exceptions” in the dropdown menu if the Questionnaire has been provided to the Officer and reviewed by the Agency, and no exceptions are identified.
- Enter “Yes,” with “Exceptions” if there are exceptions indicated. The POST Commission may request the Questionnaire from your Agency at a later time.
- Enter “Not Conducted” if the Questionnaire was not provided to the Officer or if the Officer was unable to fill out the Questionnaire for any reason (medical leave, military leave, etc.).