



MASSACHUSETTS PEACE OFFICER STANDARDS & TRAINING COMMISSION

CHAIR

Margaret R. Hinkle

COMMISSIONERS

Lester Baker

Hanya H. Bluestone

Lawrence Calderone

Larry E. Ellison

Deborah Hall

Marsha V. Kazarosian

Charlene D. Luma

Rev. Clyde D. Talley

EXECUTIVE DIRECTOR

Enrique A. Zuniga

February 12, 2024

In accordance with [Sections 18-25 of Chapter 30A of the Massachusetts General Laws](#), and [Chapter 20 of the Acts of 2021](#), as amended by [Chapter 22 of the Acts of 2022](#), by [Chapter 107 of the Acts of 2022](#), and by [Chapter 2 of the Acts of 2023](#), 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 #47

February 15, 2024

10:00 a.m.

Remote Participation via [Zoom](#)

Meeting ID: 968 6778 8022

- 1) Call to Order
- 2) Approval of minutes
 - a. January 23, 2024
- 3) Executive Director Report – Enrique Zuniga
 - a. Disciplinary Records Update
 - b. Reports due to POST
 - c. Complaint Portal Update
 - d. Finance & Budget Update
 - e. Administrative Update
- 4) Matters not anticipated by the Chair at the time of posting
- 5) Executive Session in accordance with the following:
 - M.G.L. c. 30A, § 21(a)(1), in anticipation of discussion regarding “the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, . . . or individual”;

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- M.G.L. c. 30A, § 21(a)(5), in anticipation of discussion regarding 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, 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 prior Executive Sessions.
- a. Division of Standards request for approval to conduct Preliminary Inquiries in the following cases:
- i) PI-2024-004
 - ii) PI-2024-005
 - iii) PI-2024-006
 - iv) PI-2024-007
 - v) PI-2024-008
 - vi) PI-2024-009
 - vii) PI-2024-010
 - viii) PI-2024-011
 - ix) PI-2024-012
 - x) PI-2024-013
 - xi) PI-2024-015
 - xii) PI-2024-016
 - xiii) PI-2024-017
 - xiv) PI-2024-018
 - xv) PI-2024-019
 - xvi) PI-2024-020
 - xvii) PI-2024-021
- b. Reports of Preliminary Inquiry in the following cases:
- i) PI-2023-12-19-004
 - ii) PI-2023-11-16-002

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- c. Proposed Voluntary Disposition Agreement
 - i) PI-2023-01-12-004
 - ii) PI-2023-07-13-006
- d. Request to Approve Suspension in the Following Case:
 - i) PI-2024-014
- e. Approval of the minutes of the Executive Sessions of January 23, 2024

2a.

MASSACHUSETTS PEACE OFFICER STANDARDS AND TRAINING COMMISSION

Public Meeting Minutes

January 23, 2024

8:30 a.m.

By Zoom

Documents Distributed in Advance of Meeting

- November 16, 2023 Public Meeting Minutes
- December 19, 2023 Public Meeting Minutes
- Executive Director Report
- Division of Police Standards Report

In Attendance

- Commission Chair Margaret R. Hinkle
- Commissioner Lester Baker
- Commissioner Hanya H. Bluestone
- Commissioner Lawrence Calderone
- Commissioner Larry Ellison
- Commissioner Deborah Hall
- Commissioner Marsha V. Kazarosian
- Commissioner Charlene D. Luma
- Commissioner Clyde Talley

1. Call to Order

- At 8:35 a.m., Chair Hinkle welcomed the public to the Commission's forty-sixth meeting and called the meeting to order.
- Chair Hinkle took a roll call of the Commissioners present. It proceeded as follows:
 - Commissioner Baker – Present
 - Commissioner Bluestone – Present
 - Commissioner Calderone – Present
 - Commissioner Ellison – Present
 - Commissioner Hall – Present
 - Commissioner Kazarosian – Present
 - Commissioner Luma – Present
 - Commissioner Talley – Present
- Chair Hinkle stated that all members of the Commission were present remotely, and she recognized a quorum.

2. Approval of November 16, 2023 and December 19, 2023 minutes

- Chair Hinkle asked for a motion to approve both sets of minutes.
- Commissioner Talley moved to approve the minutes.
- Commissioner Kazarosian seconded the motion.
- The Commissioners voted as follows:
 - Commissioner Baker – Yes
 - Commissioner Bluestone – Yes
 - Commissioner Calderone – Yes
 - Commissioner Ellison – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes

- Commissioner Luma – Yes
 - Commissioner Talley – Yes
 - Chair Hinkle – Yes
 - The November and December minutes were unanimously approved.
- 3. Executive Director Report – Enrique A. Zuniga**
- Executive Director Zuniga offered a PowerPoint presentation, and he stated as follows.
 - Complaint Portal Update
 - The portal was developed to accept complaints and other incident reports from agencies. Development of the portal is complete, and the technology is being tested.
 - There will be a soft launch of a portal for large agencies on February 1, 2024. A statewide rollout of the portal is projected for March 1, 2024.
 - POST finished uploading information from 2023 into the portal so agencies can access previously submitted complaints.
 - Training materials will be available for agencies when the portal is open. Access and log in credentials are the same as those used for the re-certification portal, but there is a separate portal to enter disciplinary complaints and other incident reports.
 - Executive Director Zuniga provided a summary of complaint data from 2023. Data from February 1, 2023 to March 1, 2024 will be uploaded into the portal for agencies to review and update.
 - Data received after January 30 is coming into the general submission inbox. Agencies will have to identify categories and subcategories for disciplinary matters.
 - Commissioner Ellison asked if POST could include a couple of the smaller agencies in the launch to get an idea of how they will respond to the portal. Larger agencies have more support systems, so it may give a false presentation of how agencies respond in the portal.
 - Executive Director Zuniga said POST will make sure to interact with smaller agencies to get their feedback on the portal.
 - As data is validated and a record is completed, new records will become available on the public database. Once data is submitted in the portal, records will be periodically released every month.
 - The regulations in 555 CMR 8.00 have a section that allows individuals to object or raise objections related to dissemination of disciplinary records. The review process is as follows:
 - Submit request or concerns to Executive Director.
 - If the Executive Director disagrees with the request, it can come before the Commissioners for consideration.
- 4. Finance Update – Chief Financial and Administrative Officer (CFAO) Eric Rebello-Pradas**
- CFAO Rebello-Pradas provided an update on the FY24 Q2 budget.
 - Total actual expenditures were under projections, largely due to delayed hiring and fewer

Information Technology (IT) expenses.

- The budget identified expected, multiple, one-time expenditures for IT-related projects. This included Salesforce enhancements, audio/visual equipment, website development, and integration with the Massachusetts Department of Criminal Justice Information Services (DCJIS).
- There is a new cadence for the monthly treasurer's report. It is now released on the second Friday of every month to more accurately reflect the previous month's expenditures.
- Potential reversions are to be forecasted after Q3.
- The Governor will release the FY25 budget on Wednesday, January 24, 2024.
- The Commission welcomed recent hires:
 - Ivy Cipullo – Intake Coordinator
 - Martine Yoyo – Intake Coordinator
 - Tara Chisholm – Enforcement Counsel
- There have been two promotions:
 - Brian Cooper – Senior Project Advisor under the IT Division
 - Jessica Rush – Certification Manager under the Division of Police Certification
- Chair Hinkle turned to Commissioner Ellison, Treasurer of the Commission, for any comments. He thanked Eric and his team for their collaboration.
- Commissioner Talley asked about the Commission's delayed hiring process.
- CFAO Rebello-Pradas replied that, when creating the spending plans at the beginning of the fiscal year, the finance team usually annualizes salaries. When months go by and positions are unfilled, the Commission saves money. He also said the experience of applicants factors into hiring. A job has a salary range listed and may get applicants that are more qualified or less qualified. Therefore, the salary may be different from the range reported to Administration and Finance.

5. Division of Standards Report – Director Matthew P. Landry

- Director Landry provided the following update.
- He gave a breakdown of the number of complaints the Division of Standards received from law enforcement agencies and the public.
- The complaint case load for FY24 was as follows:
 - Complaints submitted directly to POST (July 1, 2023 – January 10, 2024): 561
 - Complaints, notices, and reports submitted from law enforcement agencies to POST (since July 1, 2023): 350
- Since Director Landry's last report, the Division of Standards has seen an increase in the rate of complaints submitted each week.
- In July 2023, the Division received about 15-20 public complaints each week. The number increased to about 20-25 new public complaints weekly.
- Agencies submit approximately 20 notices/reports weekly for review. Director Landry cautioned that the numbers were estimates and probably included multiple complaints filed by the same person.
- Director Landry reported that the Division of Standards team expanded. In the last month, it onboarded two new intake coordinators who focus on receiving and conducting an initial review of new complaints.
- The Division is close to launching the new online portal for agencies to submit and track

their complaints, which is scheduled for launch in February 2024.

- The current disciplinary docket caseload was:
 - Active Preliminary Inquires (as of January 9, 2024): 26
 - Preliminary Inquiries concluded with recommendations of discipline per M.G.L. c. 6E, § 10 (includes cases with final disposition, and cases still in adjudicatory hearing process): 27
 - Preliminary Inquiries concluded without further Commission action: 6
 - Suspensions (active): 43
 - Discipline Imposed (9 decertifications; 2 suspensions): 11
- Director Landry recognized the efforts made by the entire Standards team.
- Chair Hinkle suspected members of public may have questions about Director Landry's report.
- Executive Director Zuniga said the public can visit the website to submit questions.

6. Performance Evaluation of the Executive Director

- Chair Hinkle said she had to complete a thorough evaluation form.
- She said he accomplished each of the goals listed in his evaluation form.
- Executive Director Zuniga's goals included managing and overseeing all aspects of divisions, serving as a liaison to key stakeholders, and supporting the Commission's operations and policy decisions.
- She worked with CFAO Rebello-Pradas to compare his salary with Executive Directors in other independent agencies. A determination was made that 8 percent would be added to the salary that Executive Director Zuniga earned for 2023.
- The Commissioners thanked Executive Director Zuniga for all his work for the Commission.

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

- The Chair indicated that she did not believe there were any matters not anticipated at the time of the posting of the meeting notice.

8. Executive Session

- The Chair raised the issue of moving into executive session in accordance with 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 prior executive sessions.
- The Chair informed members of the public that the Commission would not reconvene its public meeting after the executive session.
- The Chair took a roll call vote on the motion. The Commissioners voted as follows.
 - Commissioner Baker – Yes
 - Commissioner Bluestone – Yes
 - Commissioner Calderone – Yes
 - Commissioner Ellison – Yes
 - Commissioner Hall – Yes
 - Commissioner Kazarosian – Yes

- Commissioner Luma – Yes
 - Commissioner Talley – Yes
- The motion unanimously carried.
- The Chair informed members of the public that the Commission would not reconvene its public meeting after the executive session.
- The Chair thanked the public, and the public meeting was adjourned at 9:11 a.m.

3.



Executive Director Report

February 15, 2024



Agenda

1. Disciplinary Records Update
2. Reports due to POST
3. Agency Portal Update
4. Finance & Budget Update
5. Administrative Update

Disciplinary Records Update



Recent Release – February 2024

- An updated version of the disciplinary records is now available on the website
- The database now includes records for:
 - A total of 274 agencies (30 new agencies with at least one record)
 - A total of 3,887 Disciplinary Records (a net new 582 records)
 - A total of 5,486 Allegations (a net new 917 allegations)
- Four agencies (Brookline, Cambridge, Everett and Chatham) with no record previously reported are now part of this update

Disciplinary Records Update



Recent Release – February 2024

- The totals in the previous slide (3,877 disciplinary records) reflect the new total of records and allegations
- Net new records are less than previously reported because some records have been taken down from the database
 - The numbers of additional records previously reported included 894 new records and 1,311 allegations
 - Database contains a net new of 582 records representing 917 allegations
 - The difference can be explained by instances in which agencies have provided evidence that previously submitted record was reversed or vacated in favor of the officer (i.e., letters of counsel)

Disciplinary Records Update



Upcoming Updates

- Approximately 50 more records in final stage of validation
- Being sent to agencies for validation next week
- This last batch of records will complete the previously submitted historical disciplinary records
- Subsequent releases will include records submitted after January 31, 2023
- Records submitted during 2023 are being prepopulated in the portal, and agencies will update and validate them as they begin to interact with the portal

Disciplinary Records Update



Efforts To Ensure Data Consistency and Enhance Quality of Data

- FAQ: What is POST doing to enhance data consistency?
- Focus to date centered in data migration, validation and reporting
- POST will focus on consistency of data across departments, including additional comments and clarifying and further explaining data
- This will include data analysis across categories
- On-going effort to enhance quality of the data with information coming in real time – Portal will be a great tool for data going forward.

Reports due to POST



Efforts to Ensure Timely Notification to POST

- In a handful of cases POST was not timely notified (within 2 business days)
- Another requirement not consistently adhered to is the 90-day requirement to complete the Internal Affairs Investigation (or asking POST for an extension)
- Portal deployment will greatly help enforce the 90-day requirement (and manage extensions of time)
- But if agencies are not interacting with the Portal on a timely basis, compliance with reporting requirements will continue to be variable
- POST focus on communicating and ensuring agencies have access and understanding of Portal

Reports due to POST



Efforts to Ensure Timely Notification to POST

- POST will ramp up communication efforts to ensure compliance with reporting requirements
- Communications team working on enhancements to the website including production of short videos for deployment to agencies
- We continue to appear in front of groups and emphasize reporting requirements at every one of these opportunities
- During 2024 POST will also begin a project of designing a new website to enhance engagement with agencies and disseminate key information. RFR's responses for Web Design Services due 2/16/24

Reports due to POST



Efforts to Ensure Timely Notification to POST – KEY DATES

- **2 Business Days** – LEA's submit complaint or incident due to POST
- **14 Days** – LEA's are required to open an Investigation (I/A)
- **Immediately** - Forward to POST results of an investigation (I/A), including associated developments (resignation, termination, etc.)
- **90 days** – LEA's required to finish I/A (or request extension)
- **Immediately** – Forward to POST final disposition (i.e., discipline imposed)
- **1 year, or agency final disposition, *whichever is sooner*** – POST can initiate revocation hearing

Reports due to POST



Specific Recent Questions re: Matters Reportable to POST

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

ANSWER: reportable to POST

- All complaints (including anonymous complaints) should have a presumption of credibility
- In scenario described (i.e., demand letter or threat of civil suit), there is presumably new information that should be considered
- Even if no new information: reportable to POST

Reports due to POST



Matters Reportable to POST (continued)

- All allegations of excessive force (not just force that resulted in serious bodily injury or death) are reportable to POST
- All allegations of Bias, and Officer Involved Shootings are reportable to POST
- Only allegations of unprofessionalism is permissible to exclude minor matters
- The term “Complaints” is not limited to an outside party submitting a “formal complaint.” Complaints AND Incident Reports can be internal, external, come from any source and at any time and there is no statute of limitations.
- Reports to POST include internal allegations of unprofessional conduct and any incidents that may result in discipline

Reports due to POST



Matters Reportable to POST (continued)

- Prohibited Conduct per c. 6E
- Unprofessionalism
 - Only category that includes an exception for minor matters
 - Regulations define minor matters as *“...a category that includes discourtesy, and basic work rule violations such as tardiness, inattention to detail, equipment violations, grooming violations or comparable infractions...”*
- Question from Chief about a particular instance? contact POST (Division of Standards or Executive Director)

Agency Portal Update



Agency Portal Soft Launch

- POST completed training agencies as part of Soft Launch of the Portal
- A total of 13 agencies are already interacting with POST via the Portal (entering data in “production” and no longer entering test data).
- All 13 agencies were previously involved in the User Acceptance Testing back in September
- Agencies in the portal: Agawam, Barnstable, Boston, Boston University, Brockton, Fall River, Fitchburg, Lawrence, Leominster, Mass State Police, New Bedford, Salem, Springfield

Agency Portal Update



Agency Portal Soft Launch

- POST Staff continues to upload previously submitted information into Portal for agencies to in anticipation of opening
- Additional agencies to be granted access in coming days
- All agencies to gain access on March 5, 2024
- Will have office hours during March (specific dates TBD)

Agency Portal Update



Additional Question Regarding Database

Will POST publish officer demographic information for officers and the public to ascertain potential disparities in discipline imposed?

- POST does not currently have demographic information of officers
- POST has capabilities to collect age, gender, race and ethnicity of officers and later include as part of public database
- Until recently MPTC began collecting demographic information for academy graduates (including veteran status & highest level of education)
- Collecting demographic information could be deployed on the next round of certification for future reporting

Finance & Administrative Update



F&A Update



FY24 Activity

- Mid-Year Review Exercise for ANF
 - Focus on Reversions

FY25 Budget Development

- Governor's FY25 Budget was Filed on Wednesday, January 24th
- POST's Appropriation Funded at \$8.75M
 - \$425K (or 4.6%) less than requested – ANF looking to limit overall growth for FY25
 - Appropriation is acceptable due to inevitable payroll savings from delayed onboarding
- ***Next Step:*** Testimony before JWM to be held Week of March 18th in Worcester

F&A Update



Despite Moderate Growth for FY25, Future Budgets will Most Likely see Larger Expansions as POST fully Implements its Mission



Administrative Update



New Telephone System – Dedicated Phone Lines

- **617-701-8401 – Main Number** (same as before)
- **617-701-8404 – Communications Office**
- **617-701-8421 - Division of Standards.** All questions regarding complaints, incident reports, disciplinary reports and disciplinary recommendations
- **617-701-8422 - Division of Certification.** All matters related to officer certifications (including SRO), required forms, employment status (leave, termination, resignations, employment history, etc.).
- **617-701-8402 – Executive Director**
- Senior Staff Directory continues to be available on website.



Massachusetts Peace Officer Standards & Training
POSTC-comments@mass.gov
www.mass.gov/orgs/post-commission
617-701-8401
