



# Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

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## **NOTICE OF PUBLIC HEARING**

Under the authority of M.G.L. c. 6E, §§ 3(a) and 8(d) and pursuant to M.G.L. c. 30A, the Massachusetts Peace Officer Standards and Training Commission (the “Commission”) will conduct a public hearing to gather comments, ideas, and information concerning a proposed regulation, 555 CMR 12.00: *Maintenance, Reporting, and Audits of Law Enforcement Records and Information*.

**Summary of Proposed Regulation:** The proposed regulation would establish requirements for law enforcement agencies and law enforcement officers to create and maintain certain records and to report certain information to the Commission. The regulation would also establish requirements and procedures concerning the auditing of law enforcement agencies and law enforcement officers by or on behalf of the Commission. Lastly, the proposed regulation enumerates ways in which the Commission may take disciplinary action against law enforcement agencies and law enforcement officers as a means of enforcing the obligations of this proposed regulation.

**Availability of Proposed Regulation:** The proposed regulation is available on the Commission’s website at: <https://www.mass.gov/orgs/post-commission>. You may obtain a written copy by e-mailing a request to [POSTCPRR@mass.gov](mailto:POSTCPRR@mass.gov) or mailing a request to General Counsel Randall E. Ravitz, Massachusetts Peace Officer Standards and Training Commission, 84 State Street, Suite 200, Boston, MA 02109.

**Hearing Details:** The hearing will be held virtually, using the Zoom platform, on Thursday, August 1, 2024, from 10:00 a.m. to 12:00 p.m. All persons desiring to be heard on this matter should appear at that time. If you are interested in offering comments, you are encouraged, but not required, to pre-register by sending an email to [POSTC-comments@mass.gov](mailto:POSTC-comments@mass.gov) with a subject line stating, “555 CMR 12.00.” To join via computer, go to: <https://zoom.us/j/95924705273>. You may need to allow extra time to download Zoom. To join via telephone (audio only), dial 646-558-8656 and use the following conference ID: 959 2470 5273. Given the volume of comments anticipated, the Commission may limit a speaker’s time to five minutes.

**Submission of Comments:** The submission of written comments or testimony in advance of the hearing is welcome and may be made by e-mail to [POSTC-comments@mass.gov](mailto:POSTC-comments@mass.gov) with a subject line stating, “555 CMR 12.00” or by mail to General Counsel Randall E. Ravitz at the physical address listed above. Comments received after August 1, 2024 at 5:00 p.m. might not be considered.



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## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Peace Officer Standards and Training Commission (the "Commission") hereby files this Small Business Impact Statement in accordance with M.G.L. c. 30A, § 2, relative to the proposed adoption of 555 CMR 12.00: *Maintenance, Reporting, and Audits of Law Enforcement Records and Information*.

This regulation is being promulgated as part of the process of regulating law enforcement agencies and law enforcement officers in the Commonwealth. It establishes requirements for law enforcement agencies and law enforcement officers to create and maintain certain records and report certain information; establishes requirements and procedures concerning the auditing of law enforcement agencies and law enforcement officers by or on behalf of the Commission; and enumerates ways in which the Commission may take disciplinary action against law enforcement agencies and law enforcement officers as a means of enforcing the obligations of the regulation.

The proposed 555 CMR 12.00 applies to law enforcement agencies and law enforcement officers in the Commonwealth. Accordingly, this regulation is unlikely to have an impact on small businesses. Under M.G.L. c. 30A, § 2, the Commission offers the following responses to the statutory questions:

1. Estimate the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation. This regulation governs law enforcement agencies and law enforcement officers in the Commonwealth, none of which will be or are small businesses.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. The standards provided are compliance requirements, akin to performance standards.

4. Identify any regulation of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 555 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

This regulation is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Peace Officer Standards  
and Training Commission

By:



Randall E. Ravitz, General Counsel

Dated: July 5, 2024