

COMMONWEALTH OF MASSACHUSETTS
CIVIL SERVICE COMMISSION

SUFFOLK, ss.

One Ashburton Place, Room 503
Boston, MA 02108

**REQUEST FOR INVESTIGATION OF APPLICATION OF RESIDENCE
PREFERENCE TO NON-BOSTON RESIDENTS FOR BOSTON POLICE OFFICERS
AND FIREFIGHTERS**

INTRODUCTION

Pursuant to chapter 31, section 2(a) of the Massachusetts General Law, the Boston Society of Vulcans (the Vulcans), the Massachusetts Association of Minority Law Enforcement Officers (MAMLEO), and ten individual Massachusetts voters hereby request that the Civil Service Commission open an investigation into the practices and procedures of the Massachusetts Human Resources Division (HRD), the Boston Fire Department (BFD), and the Boston Police Department (BPD) concerning the application by those agencies of the Residence Preference to military veterans who have **not** resided in Boston for one year immediately prior to the date of the applicable civil service examination.

In applying the Residence Preference to individuals who have **not** resided in Boston for one year prior to the civil service examination, these agencies are acting contrary to the legal requirements of G.L., ch. 31, § 58. By doing so, they are harming the interests of individuals – and veterans in particular – who are in fact, Boston residents. Moreover, because Boston is generally a more diverse city than the state as a whole, the agencies' unauthorized use of the Residence Preference is contributing to the lack of racial diversity in BFD and BPD.

Petitioners therefore respectfully request that the Commission open an investigation into these practices and, if violations of G.L., ch. 31, § 58 are found, order the agencies to bring their practices and procedures into compliance with the law.

PETITIONERS

The Vulcans and MAMLEO are non-profit organizations whose missions include assisting individuals who wish to become Boston firefighters and police officers, respectively. These organizations therefore have a significant interest in ensuring that the civil service laws are correctly applied. The organizations have a particular objective to further racial diversity in BFD and BPD; as explained below, this gives them an additional interest in ensuring that the Residence Preference is correctly applied. The Vulcans and MAMLEO are aggrieved within the meaning of G.L. ch. 31, § 2(a).

Petitioners (1) Emmett Burton, (2) Duaine Doyle, (3) Roy Marshall, (4) Darrell Higginbottom, (5) Gwendolyn Brown, (6) Carole Major, (7) Preston Williams, (8) Denise DePina Reed, (9) James Gilden, and (10) Larry Ellison are each registered voters in the Commonwealth. *See* G.L. ch. 31, §2(a) (empowers the Commission “to conduct investigations at its discretion or upon written request of the governor, the executive council, the general court or either of its branches, the administrator [HRD], an aggrieved person, or by ten persons registered to vote in the commonwealth.”).

FACTS UNDERLYING PETITIONERS’ REQUEST FOR INVESTIGATION

G.L., ch. 31, sec§ 58 allows for application of a Residency Preference as follows:

“If any person who has resided in a city or town for one year immediately prior to the date of examination for original appointment to the police force or fire force of said city or town has the same standing on the eligible list established as the result of such examination as another person who has not so resided in said city or town, the administrator, when certifying names to the appointing authority for the police force of the fire force of said city or town, shall place the name of the person who has so resided ahead of the name of the person who has not so resided” G.L., ch. 31, § 58.

By its terms, the statute requires that in order to receive this preference, the individual must have resided in the municipality “for one year immediately prior to the date of examination.” *See id.*

However, HRD, BFD, and BPD deviate from this rule by allowing veterans who have **not** resided in a municipality for one year immediately prior to the date of examination to nonetheless claim the Residence Preference. Specifically, it is HRD’s position that a veteran may claim Residence Preference in a municipality in which s/he has never lived or established residency, so long as s/he establishes residency in that municipality “within 90 days of the date of separation/release/discharge” from active duty. *See* Ex. A (HRD website). HRD refers to this as the “Town B” option.¹

In correspondence with Petitioners’ counsel, HRD has confirmed that it follows the “Town B” option in practice. *See* Ex. B. BFD and BPD have similarly confirmed that they allow the “Town B” option, referencing HRD’s website guidance as the reason for their practice. *See* Exs. C, D. None of the agencies has offered any legal basis for the rule, other than the reference to HRD’s website. *See id.*

Simply put, there is no statutory or other basis for the “Town B” option. Chapter 31, section 58 of the Massachusetts General Law is clear and unambiguous and states that Residence Preference may only be afforded to those who have resided in the municipality in question “for one year immediately prior to the date of examination.” *See Commonwealth v. Boe*, 456 Mass. 347-48 (2010) (“[i]t is elementary that the meaning of a statute must, in the first instance, be sought in the language in which the act is framed, and if that is plain, . . . the sole function of the courts is to enforce it according to its terms.”). While there are separate statutory provisions for

¹ The “Town A” option applies to individuals who return, following military service, to the city or town from which they left. Petitioners do not challenge herein the use of this option.

granting a military preference (*see, e.g.*, G.L., ch. 31, § 26), there is nothing in those military preference provisions that carves out an exception for a military veteran to avoid the regular residency preference requirements, as the “Town B” option purports to allow.

As HRD states elsewhere on its website, “Your residence, for the purpose of civil service law, is the place where you actually lived and intended as your permanent home.” (emphasis deleted). *See* Ex. A (HRD website). Caselaw interpreting “residence” is similar. *See Doris v. Police Commissioner of Boston*, 374 Mass. 443, 373 N.E.2d 944 (1978) (residency is defined as the physical location of the employee’s house or other dwelling place.). There is no basis whatsoever for allowing an individual leaving the military to claim that his or her “residence” for one year prior to the civil service examination is a city or town in which s/he has never lived or established residency.

Discontinuing use of the unauthorized “Town B” option would not in any way deprive military veterans of the Residence Preference. To the contrary, it would ensure that the Residence Preference is only applied to veterans who are actual residents of the municipality in question. Thus, veterans returning from service could still claim one-year residency in the city or town that was their residence prior to joining the service (the “Town A” option). And, veterans intending to establish residence in a new city or town could still do so and then claim Residence Preference in that city or town – provided that they establish residency at least one year prior to a civil service examination.

However, the current practice of allowing the unauthorized “Town B” option is contrary to law and harms military veterans who are in fact Boston residents. Moreover, due to the more diverse demographics of Boston, as compared to the state as a whole, application of the “Town B” option contributes to the lack of diversity in BFD and BPD. According to U.S. Census

statistics, Boston is approximately 24.7% Black, 22.1% Hispanic/Latino, and 9.1% Asian. *See* U.S. CENSUS BUREAU, Boston Census Populatio (2010). By contrast, Massachusetts as a state is approximately 8.1% Black, 10.5% Hispanic/Latino, and 6.0% Asian. *Id.* By allowing non-Boston residents to be granted Residence Preference in Boston, application of the unauthorized “Town B” option thus contributes to the lack of diversity in BFD and BPD.

CONCLUSION

For all of the foregoing reasons, Petitioners respectfully request that the Civil Service Commission open an investigation into the practice of HRD, BFD, and BPD of allowing a Residence Preference even for individuals who have not resided in a city or town for one year prior to the applicable civil service examination. Petitioners also request that, if the Commission finds that the agencies’ practices are contrary to law, that it order the agencies to come into compliance with the law forthwith.

Respectfully Submitted,

BOSTON SOCIETY OF VULCANS,
MASSACHUSETTS ASSOCIATION OF
MINORITY LAW ENFORCEMENT
OFFICERS, and TEN INDIVIDUALS
REGISTERED TO VOTE IN THE
COMMONWEALTH,

By their attorneys,



Oren Sellstrom, Esq. (BBO# 569045)

Sophia Hall, Esq. (BBO# 684541)

Lawyers’ Committee for Civil Rights and
Economic Justice

61 Battery March Street, 5th Floor

Boston, MA 02110

(617) 984-0274

shall@lawyerscom.org

EXHIBIT A:
HRD Website



Residency Preference

What is residency preference and how to update your record?

Civil Service Law Chapter 31, section 58 permits cities and towns to ask that residents be placed on entry-level police and firefighter eligible lists **before** nonresidents. A "resident" is a person who has lived in the same city or town for the **full year** (12 months) before the **original date of the examination**. For example, if you took an examination on March 25, 2017, you would have to live in a single city or town from March 25, 2016 to March 25, 2017 to claim residency in that city or town.

- Your **residence**, for the purpose of civil service law, is the place where you actually lived and intended as your **permanent home**.
- If you were in the military, you may use the Massachusetts city or town where you lived when you entered the military **if** you returned to that city or town after you left the military, or, if you are still in the military, you intend to return to that city or town.
- If you move to another city or town at any time during the year before the examination, you do **not** qualify for residency preference in **any** city or town.

How to Update Your Residency Preference

If you would like this office to adjust your record, please send an email to civilservice@state.ma.us and include the information listed below:

1. a detailed statement that you wish to claim residency preference status for a particular city/town and that you have lived there for the entire twelve month period preceding the date of the examination.
2. your name
3. address during the time frame
4. Person ID (located on your score notice)
5. Examination Title (for example, Firefighter or Police Officer)

The appointing authority may require verification of residency for consideration prior to an appointment.

Military Residency Preference

For military personnel who were on full-time active duty during any part of or the entire 12-month period required to establish residency in a Massachusetts city or town, you may still be eligible to claim residency preference if you meet the following conditions:

- You must have served a period of **Full-Time Military Active Duty** (for which you received or will receive a DD214) during any part of the 12 month period of:
 - **2018 Firefighter** - March 24, 2017 to March 24, 2018
 - **2017 Police Officer** - March 25, 2016 to March 25, 2017
 - **2016 Firefighter** - April 16, 2015 to April 16, 2016
- You must have been a Massachusetts Resident at the time of entry into full-time active duty or your Home of Record on your DD214 for this period of active duty must be a city or town in Massachusetts.
- You must return to your Home of Record (Town A) or establish residency in a different Massachusetts municipality (Town B) within 90 days of the date of separation/release/discharge from this period of active duty as listed on your DD214.

Massachusetts City/Town of your residence at time of entry:	Massachusetts City/Town of your residence upon separation/release/discharge from active duty:	You may claim Residency Preference in:
Town A	Town A	Town A
Town A	Town B	Town A or Town B

EXHIBIT B:
HRD's Public Record Request Response



LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND
ECONOMIC JUSTICE
Serving Greater Boston Since 1968

November 21, 2017

Delivered by Email (Michele.Heffernan@MassMail.State.MA.US)

Michele M. Heffernan, Primary RAO

Deputy General Counsel

1 Ashburton Place, Room 211 Boston, MA 02108

RE: Public Records Request Regarding Military Residence Preference

Dear Ms. Heffernan:

This request is submitted pursuant to the Public Records Act, G.L. c.66, § 10, for public records in the custody of the Office of the Human Resources Division (HRD). As used in this request, "public records" is defined as in the Public Records Act; "Military Residence Preference" refers to the application of any residency preference for current or former military personnel under Massachusetts' civil service merit system; and the "Town B option" refers to the ability of certain military personnel to claim a residency preference if they establish residency in a town different from their Home of Record within 90 days of their separation/release/discharge, as referenced on HRD's website (<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2016-firefighter-military-residency-preference.html>).

1. All public records referencing, relating to, or reflecting any rules, policies, procedures, or laws regarding the Military Reference Preference from 2015 to the present.
2. All public records referencing, relating to, or reflecting the legal authorization for the Town B option from 2015 to the present.

As this request involves a matter of public concern, we ask that all fees associated with this request be waived pursuant to 950 C.M.R. § 32.06(5). The purpose of this request is to gain information about the Military Residence Preference. The information will not be used for any commercial purpose. If the waiver is denied and you expect the fee to exceed \$10.00, please provide a detailed fee estimate.

The Public Records Law requires that you comply with this request within 10 business days following receipt. If your response to any portion of this request is that said request or portion of said request is not public, please set forth in writing the specific reasons for such denial, including which specific exemption you believe applies. To the extent that you determine that records need to be redacted in order to be produced, please do so rather than withholding them in their entirety.

If you have any questions about this request, please contact me by phone at (617) 988-0608, or by email at osellstrom@lawyerscom.org. Thank you in advance for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Oren M. Sellstrom', with a stylized flourish at the end.

OREN M. SELLSTROM
Litigation Director



Oren Sellstrom <osellstrom@lawyerscom.org>

Public Records Request Response

1 message

Heffernan, Michele (HRD) <michele.heffernan@state.ma.us>

Fri, Dec 1, 2017 at 3:24 PM

To: Oren Sellstrom <osellstrom@lawyerscom.org>

Dear Mr. Sellstrom:

This responds to your public records request dated November 21, 2017.

Your request seeks the following records:

All public records referencing, relating to or reflecting any rules, policies procedures or laws regarding the Military Reference (sic) Preference from 2105 to the present.

All public records referencing, relating to, or reflecting the legal authorization for the Town B option from 2015 to the present.

Attached please find the public records responsive to your request.

Please note that certain portions of this production have been redacted for the reasons indicated in the following notations:

- "Redacted – privacy" pertains to personal home and email addresses, and cell phone numbers, withheld under M.G.L. c. 4, § 7, cl. 26(c).

We were unable to identify any other state or municipal agency that may have possession, custody or control of the requested records. We do not seek an extension of time to respond to your request, and are not charging any fees for this request.

If you wish to challenge any aspect of this response, you may appeal to the Supervisor of Public Records following the procedure set forth in 950 C.M.R. 32.08, a copy of which is available at <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-source/cmr/>. You may also file a civil action in accordance with M.G.L. c. 66, § 10A.

Very truly yours,

Michele M. Heffernan
Deputy General Counsel
Human Resources Division
One Ashburton Place
Boston, MA 02108
617-878-9779 (p)
617-727-1477 (f)



Sellstrom PRR Response 12 1 17.pdf
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 2017 Police Officer Military Residency Preference

2017 Police Officer Military Residency Preference

Information for Military Personnel Claiming Residency Preference

For the 2017 Police Officer Entry Level Exam:

Pursuant to MGL Ch. 31, Section 58, an applicant is eligible to claim residency preference for the 2017 Police Officer Entry Level Exam if he or she has lived in the same civil service city or town from March 25, 2016 to March 25, 2017.

For military personnel who were on full-time active duty during any part of or the entire 12-month period of March 25, 2016 to March 25, 2017, you may still be eligible to claim residency preference if you meet the following conditions*:

<p>You must have served a period of Full-Time Military Active Duty (for which you received or will receive a DD214) during any part of the 12 month period of March 25, 2016 to March 25, 2017.</p> <p>You must have been a Massachusetts Resident at the time of entry to full-time active duty or your Home of Record on your DD214 for this period of active duty must be a city or town in Massachusetts.</p> <p>You must return to your Home of Record (Town A) or establish residency in a different Massachusetts municipality (Town B) within 90 days of the date of separation/release/discharge from this period of active duty as listed on your DD214.</p>	Massachusetts City/Town of your residence at time of entry:	Massachusetts City/Town of your residence upon separation/release/discharge from active duty:	You may claim Residency Preference in:
	Town A	Town A	Town A
	Town A	Town B	Town A or Town B

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 2016 Firefighter Military Residency Preference

2016 Firefighter Military Residency Preference

Information for Military Personnel Claiming Residency Preference

For the 2016 Firefighter Entry Level Exam

Pursuant to MGL Ch. 31, Section 58, an applicant is eligible to claim residency preference for the 2016 Firefighter Entry Level Exam if he or she has lived in the same civil service city or town from April 16, 2015 to April 16, 2016.

For military personnel who were on full-time active duty during any part of or the entire 12-month period of April 16, 2015 to April 16, 2016, you may still be eligible to claim residency preference if you meet the following conditions*:

<ul style="list-style-type: none"> You must have served a period of Full-Time Military Active Duty (for which you received or will receive a DD214) during any part of the 12 month period of April 16, 2015 to April 16, 2016. You must have been a Massachusetts Resident at the time of entry to full-time active duty or your Home of Record on your DD214 for this period of active duty must be a city or town in Massachusetts. You must return to your Home of Record (Town A) or establish residency in a different Massachusetts municipality (Town B) within 90 days of the date of separation/release/discharge from this period of active duty as listed on your DD214. 	Massachusetts City/Town of your residence at time of entry:	Massachusetts City/Town of your residence upon separation/release/discharge from active duty:	You may claim Residency Preference in:
	Town A	Town A	Town A
	Town A	Town B	Town A or Town B

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★ Home > Employment, Equal Access, Disability > Civil Service > Veteran & Active Military Info > Residency Pref Claim Info for Military Personnel
> 2015 Police Officer Military Residency Preference

2015 Police Officer Military Residency Preference

Information for Military Personnel Claiming Residency Preference

For the 2015 Police Officer Entry Level Exam

Pursuant to MGL Ch. 31, Section 58, an applicant is eligible to claim residency preference for the 2015 Police Officer Entry Level Exam if he or she has lived in the same civil service city or town from April 25, 2014 to April 25, 2015.

For military personnel who were on full-time active duty during any part of or the entire 12-month period of April 25, 2014 to April 25, 2015, you may still be eligible to claim residency preference if you meet the following conditions*:

<ul style="list-style-type: none">You must have served a period of Full-Time Military Active Duty (for which you received or will receive a DD214) during any part of the 12 month period of April 25, 2014 to April 25, 2015.You must have been a Massachusetts Resident at the time of entry to full-time active duty or your Home of Record on your DD214 for this period of active duty must be a city or town in Massachusetts.You must return to your Home of Record (Town A) or establish residency in a different Massachusetts municipality (Town B) within 90 days of the date of separation/release/discharge from this period of active duty as listed on your DD214.	Massachusetts City/Town of your residence at time of entry:	Massachusetts City/Town of your residence upon separation/release/discharge from active duty:	You may claim Residency Preference In:
	Town A	Town A	Town A
	Town A	Town B	Town A or Town B

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
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RE: Military Residency Preference

CivilService (HRD)

Sent: 10/28/2015 4:52 PM

To: katelyn tully

 Additional Information:

Yes, you may. Would you like our office to change your residency preference for the 2015 Police Officer exam to Haverhill?

Thank you,
Civil Service Unit

Follow us on Twitter for updates @MACivilService

From: katelyn tully [REDACTED]
Sent: Tuesday, October 13, 2015 11:53 AM
To: CivilService (HRD)
Subject: Military Residency Preference

Good afternoon,

I was looking at the 2015 Police Officer Military Residency Preference information on your website and inquired that my information was wrong on my application. After being released from active duty in December I moved to Haverhill, Mass within 90 days.
Is there anyway I can claim residency in Haverhill for the 2015 Police Officer Exam?

Thank you,
Katelyn

RE: Veterans Status and Residency

CivilService (HRD)

Sent: 10/30/2015 11:29 AM

To: Clafford Marchant

☐ Additional Information:

Per your request, your residency preference for 2015 Police Officer exam is Quincy.
Your Veteran status has been reviewed and approved as Disabled Veteran.

Thank you,
Civil Service Unit

Follow us on Twitter for updates @MACivilService

From: Clafford Marchant [mailto: [REDACTED]]
Sent: Friday, October 30, 2015 11:27 AM
To: CivilService (HRD)
Subject: Veterans Status and Residency

I would like to update my residency status

- 1) I would like to change my residency status to Quincy, MA and have been living there for over a year.
- 2) My name is Clifford Merchant
- 3) My current address is [REDACTED]
- 4) My personal Identification number is 02702244

I have also submitted my member 4 DD214 on October 7th and was wondering when my veterans status would be updated.

Thank you


Clifford Merchant

RE: Military Residency Preference

CivilService (HRD)

Sent: 10/28/2015 5:37 PM

To: Katelyn Tully

 Additional Information:

You are all set. Your residency preference for 2015 Police Officer exam is Haverhill.

Thank you,
Civil Service Unit

Follow us on Twitter for updates @MACivilService

From: Katelyn Tully [mailto:████████████████████]
Sent: Wednesday, October 28, 2015 5:32 PM
To: CivilService (HRD)
Subject: Re: Military Residency Preference

Yes please put my name on the Haverhill Police Department list for the 2015 Police Officer exam. I do appreciate your time.

Thank you,
Katelyn Tully

On Oct 28, 2015, at 4:52 PM, CivilService (HRD) wrote:
Yes, you may. Would you like our office to change your residency preference for the 2015 Police Officer exam to Haverhill?

Thank you,
Civil Service Unit

Follow us on Twitter for updates @MACivilService

From: katelyn tully [mailto:████████████████████]
Sent: Tuesday, October 13, 2015 11:53 AM
To: CivilService (HRD)
Subject: Military Residency Preference

Good afternoon,

I was looking at the 2015 Police Officer Military Residency Preference information on your website and

inquired that my information was wrong on my application. After being released from active duty in December I moved to Haverhill, Mass within 90 days.
Is there anyway I can can claim residency in Haverhill for the 2015 Police Officer Exam?


Thank you,
Katelyn

RE: 2015 Police Officer Residency Preference

CivilService (HRD)

Sent: 10/30/2015 8:19 AM

To: m p

 Additional Information:

Residency Preference Claim Information for Military Personnel

Please use the link above.

Thank you,
Civil Service Unit

Follow us on Twitter for updates @MACivilService

From: m p [mailto:]
Sent: Friday, October 23, 2015 5:25 PM
To: CivilService (HRD)
Subject: Re: 2015 Police Officer Residency Preference

I am a veteran however; the link you gave in regards to residency for veterans states that the page is not found. I currently reside in Gloucester Massachusetts but it has not been for 12 months prior to the test. If there is anything I can do as a veteran to help my chances please let me know, and if not I am not eligible to claim residency in Massachusetts. Thank you for your time.

-Mark Pierce

From: CivilService (HRD) ;
To:
Subject: 2015 Police Officer Residency Preference
Sent: Fri, Oct 23, 2015 6:38:21 PM

Dear Candidate

In preparation of the establishment of the 2015 Police Officer eligible list on November 1, our records indicate that you did not make a claim of residence preference. If this is correct and you are not eligible to make a claim you can disregard this e-mail. To make a claim, please be aware of the following statement: To qualify for residency preference in a particular community, candidates must have resided in the "municipality for the entire twelve-month period immediately preceding the date of the examination." Please click here for more information to determine whether or not you meet the requirement: [Residency Information](#)

If you would like this office to adjust your record, please submit a detailed request that includes:
a detailed statement that you wish to claim residency preference status for a particular city/town name
your name
current address
Person ID (located on your score notice)

· 2015 Police Officer – from 4/25/2014 to 4/25/2015.

The appointing authority may require verification of residency for consideration prior to an appointment. Failure to do so could result in a candidate's removal from the eligible list.

Please be advised that if you are claiming Residency Preference, you are doing so under the Penalties of Perjury. If the Human Resources Division determines you intentionally made a false claim, your name will be removed from the eligible list pursuant to Personnel Administration Rule.03 (PAR. 03).

If you are a veteran there is also Residency Preference Claim Information for Military Personnel that you may find of assistance. If you choose to site the chart for this exam, please provide a copy of your DD214 so that we may verify the correct dates, even if you have previously submitted a copy of your DD214 Member 4 form.

Sincerely,
Civil Service

Establishing Residency post Military Service

[REDACTED]
Sent: 11/20/2017 3:41 PM

To: Costello, Kelth (HRD)

Cc: bruce.howard@state.ma.us

☐ Additional Information:

Good afternoon,

My name is Michael D. Grant, I separated from active duty with the U.S. Navy on August 26 2017. I would like to establish my residency as [REDACTED] Milton, MA 02186. I request to be placed on the 2016 firefighter eligible list for Milton prior to the expiration of my 90 day window to establish residency after military separation.

Thank you,


Michael Grant
[REDACTED]

request to update residency preference

chris bird

Sent: 11/19/2017 4:05 PM

To: CivilService (HRD)

 Additional Information:

Good Evening,

1. I am respectfully requesting to change my residency preference from Beverly to Boston. Prior to joining the military I lived in Brighton, MA from September 2011 to April 2013. I was in the military from April 2013 to April 2017.

2. Christopher Alan Bird

3. I lived on [REDACTED] Brighton, MA 02135 from September 2011 to April 2013

4. Person ID: [REDACTED]

5. 2017 Police Officer (Cities & Towns and MBTA Transit Police) Examination.

Thank you for your consideration.

Very Respectfully,
Christopher Bird
[REDACTED]

RE: Active Duty Question

Barron, James (HRD)

Sent: 11/17/2017 4:40 PM

To: 'Andrea Hennelly'

Attachments: [image003.jpg](#)

 Additional Information:

Hi Andrea,

I hope all is well with you too! We are unable to determine full-time active duty based on just the orders. In order to determine if they meet the military residency preference, we would need a DD214 from the time period in question. Did the candidate provide that?

Thanks,

James Barron
Civil Service Unit
Phone: (617)-878-9754

[Twitter](#) | [Web](#)

From: Andrea Hennelly [REDACTED]
Sent: Friday, November 17, 2017 11:39 AM
To: Barron, James (HRD)
Subject: Active Duty Question

Hello James,

I hope all is well! We are interviewing a candidate for our Firefighter position who is trying to claim the 90 day Military Residency Preference. Can you please tell me if the attached orders constitutive full-time active duty under the 2016 Firefighter Military Residency Preference?

Thank you,
Andrea


Andrea L. Hennelly, SHRM-SCP
Director of Human Resources
Boston Fire Department
617-343-2125 (w), [REDACTED]

veteran verification letter

Dylan Coady

Sent: 9/7/2017 12:25 PM

To: CivilService (HRD)

 Additional Information:

To whom it may concern,

I am currently serving active duty in the United States Air Force and I am on the 2017 police officer eligibility list. Attached below is a rough draft copy of my verification letter that is required to prove my veteran status. I was requesting if you could possibly review it for mistakes and make sure everything is correct before I route it up to my commanding officer for his signature, and eventually submit to you.

Sent from my iPhone

On Aug 17, 2017, at 6:54 AM, CivilService (HRD) wrote:

It is not as well as, it is either or.

Thank you
Civil Service Unit
Twitter | Web

From: Dylan Coady [REDACTED]
Sent: Wednesday, August 16, 2017 5:54 PM
To: CivilService (HRD)
Subject: Re: 2017 Police Officer and Trooper

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2017-police-officer-military-residency-preference.html>

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2017-police-officer-military-residency-preference.html>

Also, in the links provided above and specifically the table referencing military residency preference claims. I just wanted to be positive that as long as you establish a residency in a new Massachusetts city or town within 90 days of separation, you are in fact allowed to claim residency in that new city or town

as well as the city or town on your home of record upon entry to active duty service.

Sent from my iPhone

On Aug 16, 2017, at 4:59 PM, CivilService (HRD) wrote:
Residents get first opportunity then Statewide. To add employment locations, please follow the instructions on your score notice. If you are reached while on active duty, you must sign willing to accept and they will hold a spot until your separation.

Thank you
Civil Service Unit
Twitter | Web

From: Dylan Coady [mailto: [REDACTED]]
Sent: Wednesday, August 16, 2017 4:57 PM
To: CivilService (HRD)
Subject: Re: 2017 Police Officer and Trooper

To whom it may concern,

Hello this is Dylan Coady, after recently checking your website I found that the 2017 Police Officer Eligibility List will be established September 1st. Upon the list being established will I be contacted strictly from the department of my residency preference (Boston) if there are any vacancies, or will it be state wide? I am aware I now have the opportunity to select additional employment locations beyond my residency preference. I was just curious as to what are the steps on selecting additional locations and how do I go about it. Also I am currently serving active duty in the United States Air Force until June 2018. So how does that effect my eligibility if I were to be notified or considered for a vacancy during my remaining time of active duty.

Very Respectfully,
Dylan Coady

On Aug 9, 2017, at 9:18 PM, civilservice@massmail.state.ma.us wrote:
THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
HUMAN RESOURCES DIVISION
ONE ASHBURTON PLACE, SUITE 301, BOSTON, MA 02108

Notice Date: August 9, 2017

Dylan Coady
[REDACTED]

NOTICE ISSUED VIA EMAIL

Person ID: [REDACTED]
Veteran Status:

Written Examination Date: March 25, 2017

Dear Dylan Coady:

The Human Resources Division (HRD) is pleased to inform you that you have passed the 2017 Police Officer (Cities & Towns and MBTA Transit Police) Examination.

PASSING SCORE: 70%

Written Exam Score: [REDACTED]

Residency Preference Claim: Boston

Please note that it is your responsibility to verify all information listed above regarding statuses, claims, and contact information is accurate. Any failure or delay in correcting faulty information may impact your opportunities for appointment.

Your name will be placed on the 2017 Police Officer Eligible List. Once the Eligible Lists are established, you can view it online by clicking here: [Current Eligible Lists](#)

You will now have the opportunity to select additional employment locations beyond your residency preference. Submission of location choices will not affect your residency preference choice and can be updated at any time. If you are interested in selecting additional locations, please visit: [Update Civil Service Account](#)

If you would like to be included on the MBTA Transit Police list, you must select the MBTA as an additional employment location.

If and when your name is reached for consideration for a vacancy, you will receive a vacancy notice by email. Please note that these notices will only be sent by email, and it is your responsibility to keep your contact information up to date with HRD. For instructions on how to update your information, please visit: [How to Update Your Applicant Information](#) Please be sure to check your inbox, spam folder, and junk folder regularly for emailed notices from our office.

Upon consideration for a vacancy, you may be required to participate in certain screening processes. Questions about these processes should be directed to the hiring authority at the time of consideration for a vacancy. It is your responsibility to review any publications regarding the Civil Service process on our website: www.mass.gov/civilservice

Chapter 31, Section 22 of the Massachusetts General Laws (M.G.L) provides that you may request the administrator to conduct a review of the marking of your answers to multiple choice questions. If you wish to exercise this right, please forward a written request by email to civilservice@state.ma.us, which includes your full name, address, Person ID, title of the examination, and school at which you took the examination. The Subject Line should be addressed to: Answer Sheet Review. Your email request must be received no later than 17 calendar days after the emailing of this notice. A copy of your original answer sheet will be sent to you, so you can verify scoring of your answer sheet.

Chapter 31, Section 22 of the Massachusetts General Laws provides that you may request a review of the marking of your employment and/or experience (E/E). This request, which must be made in writing, should be sent to civilservice@state.ma.us with the subject E/E Review. Your email request must be

received no later than seventeen (17) calendar days after the notice date. No new claim(s) may be submitted at this time, and only additional, clarifying information specific to a claim made within seven (7) days of the date of the examination will be reviewed. Your request for review must include specific information about all (E/E) to be credited. Include supporting documentation as directed in the original (E/E) instructions. Please indicate the title of the examination, your person ID, and a daytime telephone number in your request. Please note that all requests must be made in writing. Telephone inquiries will not be accepted.

Sincerely,
Civil Service


<~WRD212.jpg>

veteran status/ resident preference

Wes Anderson

Sent: 10/18/2016 8:08 PM

To: CivilService (HRD); Costello, Keith (HRD)

 Additional Information:

Hello, My name is Wes Anderson. I took the 2016 firefighter civil service exam and ELPAT. At the time of my application I was unaware that I would be eligible for residency preference in Cambridge, MA. I moved to Cambridge within 90 days after returning from my deployment. I have uploaded my DD214 on my application but did not check yes for residency preference. I would appreciate it if you could help my update my application to reflect it. On the website it does not let me update this when I go to the "update application" page. You can contact me through email or call me at [REDACTED]. Thank you for your time and I look forward to hearing from you.


Veteran Status Update 2016

Jon Ravanis

Sent: 12/15/2016 9:38 PM

To: CivilService (HRD)

Attachments: [Jonathan Ravanis DD-214.pdf](#)

 Additional Information:

Sir or Ma'am:

I have recently sent an email regarding my veteran status and residency preference. I have noticed that my residency preference has been updated, but not my veteran status. I appreciate the prompt response regarding my residency preference, but would love to know what else I can do to expedite the veteran status update. I have attached another copy of my DD-214. If there are additional documents necessary, please let me know and I will send them ASAP.

I thank you very much for your time and service.

Respectfully,
Jon Ravanis

Veteran status

Nicholas Fernandes

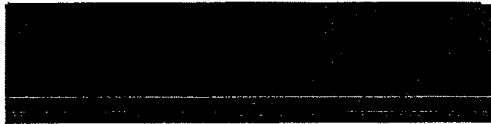
Sent: 11/9/2016 12:21 PM

To: CivilService (HRD)

Attachments: [Staples Scan.pdf](#)[+](#) Additional Information:

To whom it may concern, I was pleased to receive the email from the civil service indicating my passing of the written test and ELPAT for the 2016 firefighter exam. But was confused when my Veteran status was left blank. I attached a copy of my DD214 when filling out the online application. Just wanted to ensure that I was marked down for Veteran Preference. I served in the US Navy aboard the USS Enterprise from 2000 to 2004. Attached is a copy of my DD214. Please contact me if any additional information is needed. Below is part of the email received by the civil service as delivered and my contact information. Thank you for your time and efforts. Please confirm this email.

Nicholas Fernandes



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
HUMAN RESOURCES DIVISION
ONE ASHBURTON PLACE, SUITE 301, BOSTON, MA 02108
Notice Date: November 8, 2016
Nicholas Fernandes



NOTICE ISSUED VIA EMAIL




Veteran Status:

Written Examination Date: April 16, 2016

Dear 2016 Firefighter Examination Applicant:

The Human Resources Division (HRD) is pleased to inform you that you have PASSED the 2016 Firefighter Examination.

PASSING SCORE: 70%

Written & ELPAT Exam Score: 

Residency Preference Claim: Fall River


Veteran Residency Preference & Disability

Paul Zagwyn

Sent: 9/12/2017 11:22 AM


To: Costello, Keith (HRD)

Attachments: [Zagwyn Disability.pdf](#)

 Additional Information:

Good morning sir,

I took the Police officer exam on March 25th, at the time of the exam I was still serving on active duty. Before enlisting in the Marine Corps I was a resident of Marlborough, but since my EAS I have moved back to Massachusetts and am currently living in Worcester. I wish to establish Worcester as my residency preference. I have also received my VA determination for disability and have attached a PDF document showing basic claim information. If more information is needed please let me know.

Thank you for your time,
Paul Zagwyn



Veteran residency claim

Justin Capece

Sent: 7/19/2016 5:30 PM

To: CivilService (HRD)

Attachments: [DD 214.pdf](#)

 Additional Information:

Good evening,

Recently just separated from the Army and I would like to change my residency claim to Boston.
The following DD 214 will provide the needed documents.


Veteran Disability Rating, DD214, Residency

Mikey Lindley

Sent: 11/15/2016 4:13 PM


To: CivilService (HRD)

Attachments: [DD 214.tif](#) [DD 214 1.tif](#) [Disability Rating.tif](#) [Disability Rating 1.tif](#)

 Additional Information:

To Whom it may concern,
My DD 214 form and disability rating were not attached to my application for the Mass Fire Fighter Examination along with my residency. Please see attachments for DD 214 and my disability rating. Also please note residency below.

I have had the same residency since I left active duty in the Marine Corps in September of 2012. My wife and I own the apartment but it is in her name. The Address is :


Boston, MA 02109

Please let me know if any other information is needed, thank you.


Best,

vet residency

Costello, Keith (HRD)

Sent: 9/28/2017 3:14 PM

To: Barron, James (HRD)

 Additional Information:

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2016-firefighter-military-residency-preference.html>


Keith Costello
Civil Service Unit -- Human Resources Division
One Ashburton Place, Suite 301
Boston, MA 02108
Email: keith.costello@state.ma.us
Phone: 617-878-9831
Fax: 617-727-0399

RE: Military question for residency.

CivilService (HRD)

Sent: 12/28/2016 10:35 AM

To: [REDACTED]

 Additional Information:

Nicholas,

The link below will explain residency preference for military personnel. Thanks

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2017-police-officer-military-residency-preference.html>

-----Original Message-----

From: SULLIVAN, NICHOLAS J A1C USAF AMC 43 ABS/LGRMP [REDACTED]

Sent: Tuesday, December 06, 2016 2:09 PM

To: CivilService (HRD)

Subject: Military question for residency.

Good Afternoon,

I am inquiring about the upcoming Police civil service exam. I lived in Massachusetts before entering active duty military over a year ago. At that time I rented an apartment which I don't live there anymore and I am stationed in North Carolina. I want to be on the list for possible employment in the near future so my question is, where would/could I put as residency for this 2017 Police Officer exam? Or is there a separate way it works for active duty military that plans to return to Massachusetts?

Thank you for your help,

V/R

Nicholas J Sullivan
USAF


RE: Military Residency Boston

ELPAT (HRD)

Sent: 10/9/2015 3:45 PM

To: 'Michael Rak'

Attachments: [image001.png](#)

 Additional Information:

2015 Police Officer Military Residency Preference
Information for Military Personnel Claiming Residency Preference
For the 2015 Police Officer Entry Level Exam
Pursuant to MGL Ch. 31, Section 58, an applicant is eligible to claim residency preference for the 2015 Police Officer Entry Level Exam if he or she has lived in the same civil service city or town from April 25, 2014 to April 25, 2015.
For military personnel who were on full-time active duty during any part of or the entire 12-month period of April 25, 2014 to April 25, 2015, you may still be eligible to claim residency preference if you meet the following conditions*:

From: Michael Rak [mailto:[\[REDACTED\]](#)]

Sent: Saturday, August 29, 2015 2:19 PM

To: CivilService (HRD)

Subject: Military Residency Boston

Good Morning,

I am currently active duty military and I am originally from Connecticut. Do you need to be a resident of Boston and/or Massachusetts to test for the Boston Fire Department? If I move into Boston, and I am there for 90 days, can I get resident's preference? Or do I have to be from Massachusetts originally?

Thank you,


Michael Rak

RE: military residency preference

Towlson, Susan M (HRD)

Sent: 10/18/2017 11:05 AM

To: Costello, Keith (HRD)

 Additional Information:

Thanks, Keith. I appreciate your input.

From: Costello, Keith (HRD)

Sent: Wednesday, October 18, 2017 9:50 AM

To: Towlson, Susan M (HRD)

Subject: RE: military residency preference

Susan,

This candidate would qualify for Framingham residency preference due to him living in Framingham when he was deployed to Kuwait. If you look at the chart which is contained in the link below, Framingham would be town "A" for this candidate.

Thanks

From: Towlson, Susan M (HRD)

Sent: Tuesday, October 17, 2017 3:04 PM

To: Costello, Keith (HRD)

Subject: FW: military residency preference

Hi Keith,

I think Framingham Police Dept. would like to consider this individual, however, the question is whether or not he meets the residency requirements. This is close to call so I wanted to run it by you to see if you have any input. Let me know your thoughts when you have a moment. Thanks, Susan

From: Reardon, Greg

Sent: Monday, October 16, 2017 1:00 PM

To: Towlson, Susan M (HRD)

Subject: military residency preference

Susan

This is the ruling that is confusing us regarding the residency for military personal.

My candidate lived in Framingham August of 2016 when he was deployed to Kuwait. While he was away his wife signed a Lease at a residence in Southborough in September of 2016, which he claims is his residence.

He came back from military deployment in February of 2017 and then his separation from active duty was March of 2017 according to the DD214. Then in March 2017 he took the Civil Service test and claimed residency in Framingham.

According to this chart I have attached he appears to be all set for Framingham Police consideration. But now after our phone conversation I'm not as confident so I wanted to double check.

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2017-police-officer-military-residency-preference.html>

Thanks for your help.

Sgt. Gregory M. Reardon
Commander of the Bureau of Professional Standards/Hiring
Framingham Police Dept
1 William Welch Way
Framingham, MA 01702
(508) 532-5903


Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to public access under the Massachusetts Public Records Law, M.G.L. c. 66 § 10. "This electronic message and any files attached hereto could contain confidential or privileged information from the Framingham Police Department. This information is intended to be for the use of the individuals or entities to whom it is addressed only. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender by reply email and destroy all copies of this message."

RE: military residency preference

Reardon, Greg

Sent: 10/18/2017 11:45 AM

To: Towlson, Susan M (HRD)

 Additional Information:

Susan

Excellent. Thank you very much for your help. I really appreciate it.

Greg

From: Towlson, Susan M (HRD) [mailto:susan.m.towlson@state.ma.us]

Sent: Wednesday, October 18, 2017 11:17 AM

To: Gregory M. Reardon

Subject: FW: military residency preference

Good Morning Sergeant,

I followed up on this and am told that this candidate would qualify for Framingham residency preference due to him living in Framingham when he was deployed to Kuwait.

From: Reardon, Greg

Sent: Monday, October 16, 2017 1:00 PM

To: Towlson, Susan M (HRD)

Subject: military residency preference

Susan

This is the ruling that is confusing us regarding the residency for military personal.

My candidate lived in Framingham August of 2016 when he was deployed to Kuwait. While he was away his wife signed a Lease at a residence in Southborough in September of 2016, which he claims is his residence.

He came back from military deployment in February of 2017 and then his separation from active duty was March of 2017 according to the DD214. Then in March 2017 he took the Civil Service test and claimed residency in Framingham.

According to this chart I have attached he appears to be all set for Framingham Police consideration. But now after our phone conversation I'm not as confident so I wanted to double check.

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2017-police-officer-military-residency-preference.html>

Thanks for your help.

Sgt. Gregory M. Reardon
Commander of the Bureau of Professional Standards/Hiring
Framingham Police Dept
1 William Welch Way
Framingham, MA 01702
(508) 532-5903

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RE: Military Residency Preference

Floyd, Erica

Sent: 8/18/2015 12:36 PM

To: Barron, James (HRD)

 Additional Information:

Eric Ainsworth.

Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

From: Barron, James (HRD) [mailto:james.barron@state.ma.us]
Sent: Tuesday, August 18, 2015 12:36 PM
To: Floyd, Erica
Cc: Guyer, Glenn
Subject: RE: Military Residency Preference

Hi Erica,

What is the candidate's name? I will check with my colleague who handles Vet Services.

Thanks,
James

From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]
Sent: Tuesday, August 18, 2015 9:14 AM
To: Barron, James (HRD)
Cc: Guyer, Glenn
Subject: Military Residency Preference

Good Morning,

I just left you a voicemail but figured I'd send my question through email as well.

We have a candidate that claimed residency preference to be on our list. He lived in Springfield up until October 2010 then moved to East Longmeadow, where he still currently resides. He was deployed on April 20th, 2013 until March 10, 2014. His "Home of Record" on his DD214 was his prior Springfield address. I know that if deployed during the one year period candidates can claim residency preference for the town listed as their Home of Record or whichever town they establish residency in within 90 days of separation/release/discharge.

So, his DD214 and what he's told us conflicts. In the case of military discharge wouldn't the candidate still have to provide proof of residency for the time period they were not deployed? So, in his case he was deployed 6 days before the exam, so would he still have to provide proof of residency the same way every other candidate does up until that date then the DD214 could cover the remaining period? That

seems to be what would make sense to me.

If you could clarify I'd appreciate it.

Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

RE: Military Residency Preference

Barron, James (HRD)

Sent: 8/18/2015 4:21 PM

To: Floyd, Erica

☐ Additional Information:

Hi Erica,

You can request the candidate be PAR 09 removed from the eligible list based off of a residency preference challenge. You would want to provide as much detailed information as possible in the letter. Based off the information provided we would make the determination whether we could accept the PAR 09 removal or not. Please let me know if you have any additional questions or concerns.

Thanks,

James

From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]

Sent: Tuesday, August 18, 2015 1:00 PM

To: Barron, James (HRD)

Subject: RE: Military Residency Preference

But, wouldn't he still have to provide us proof of residency the same as anybody else for the period of time prior to being deployed? We did look at that chart already but his DD214 had an address he wasn't actually living in since 2010.

Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

From: Barron, James (HRD) [mailto:james.barron@state.ma.us]

Sent: Tuesday, August 18, 2015 12:55 PM

To: Floyd, Erica

Subject: RE: Military Residency Preference

Hi Erica,

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2014-firefighter-military-residency-preference.html>

Per the above chart, his DD214 meets the criteria, and he is able to claim Springfield as his 2014FF Residency Preference.

Please let me know if you have any additional questions or concerns.

Thanks,

James

From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]
Sent: Tuesday, August 18, 2015 12:36 PM
To: Barron, James (HRD)
Subject: RE: Military Residency Preference

Eric Ainsworth.

Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

From: Barron, James (HRD) [mailto:james.barron@state.ma.us]
Sent: Tuesday, August 18, 2015 12:36 PM
To: Floyd, Erica
Cc: Guyer, Glenn
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From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]
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Subject: Military Residency Preference

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So, his DD214 and what he's told us conflicts. In the case of military discharge wouldn't the candidate still have to provide proof of residency for the time period they were not deployed? So, in his case he was deployed 6 days before the exam, so would he still have to provide proof of residency the same way every other candidate does up until that date then the DD214 could cover the remaining period? That

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
Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

RE: Military Residency Preference

Murnane, Dani (HRD)

Sent: 8/18/2015 12:47 PM

To: Barron, James (HRD)

 Additional Information:

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2014-firefighter-military-residency-preference.html>

Per that chart, his DD214 meets the criteria, and he is able to claim Springfield as his 2014FF Residency Preference.

Sincerely,
Ms. Dani Murnane
Information Officer
HRD - Civil Service Unit

From: Barron, James (HRD)
Sent: Tuesday, August 18, 2015 12:41 PM
To: Murnane, Dani (HRD)
Subject: RE: Military Residency Preference

Eric Ainsworth.

From: Murnane, Dani (HRD)
Sent: Tuesday, August 18, 2015 11:20 AM
To: Barron, James (HRD)
Subject: RE: Military Residency Preference

Any idea who the candidate is? I'd like to check his DD214 to be sure.

Sincerely,
Ms. Dani Murnane
Information Officer
HRD - Civil Service Unit

From: Barron, James (HRD)
Sent: Tuesday, August 18, 2015 11:19 AM
To: Murnane, Dani (HRD)
Subject: FW: Military Residency Preference

Hi Dani,

Thoughts?

Thanks,
Jamie

From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]
Sent: Tuesday, August 18, 2015 9:14 AM
To: Barron, James (HRD)
Cc: Guyer, Glenn
Subject: Military Residency Preference

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I just left you a voicemail but figured I'd send my question through email as well.

We have a candidate that claimed residency preference to be on our list. He lived in Springfield up until October 2010 then moved to East Longmeadow, where he still currently resides. He was deployed on April 20th, 2013 until March 10, 2014. His "Home of Record" on his DD214 was his prior Springfield address. I know that if deployed during the one year period candidates can claim residency preference for the town listed as their Home of Record or whichever town they establish residency in within 90 days of separation/release/discharge.

So, his DD214 and what he's told us conflicts. In the case of military discharge wouldn't the candidate still have to provide proof of residency for the time period they were not deployed? So, in his case he was deployed 6 days before the exam, so would he still have to provide proof of residency the same way every other candidate does up until that date then the DD214 could cover the remaining period? That seems to be what would make sense to me.

If you could clarify I'd appreciate it.


Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

RE: Military Residency Preference

Barron, James (HRD)

Sent: 8/18/2015 12:54 PM

To: Floyd, Erica

 Additional Information:

Hi Erica,

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2014-firefighter-military-residency-preference.html>

Per the above chart, his DD214 meets the criteria, and he is able to claim Springfield as his 2014FF Residency Preference.

Please let me know if you have any additional questions or concerns.

Thanks,

James

From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]

Sent: Tuesday, August 18, 2015 12:36 PM

To: Barron, James (HRD)

Subject: RE: Military Residency Preference

Eric Ainsworth.

Erica Floyd

Director of Finance and Administration

Springfield Fire Department

605 Worthington Street

Springfield, MA 01105

413.750.2423

From: Barron, James (HRD) [mailto:james.barron@state.ma.us]

Sent: Tuesday, August 18, 2015 12:36 PM

To: Floyd, Erica

Cc: Guyer, Glenn

Subject: RE: Military Residency Preference

Hi Erica,

What is the candidate's name? I will check with my colleague who handles Vet Services.

Thanks,

James

From: Floyd, Erica [mailto:EFloyd@springfieldcityhall.com]

Sent: Tuesday, August 18, 2015 9:14 AM

To: Barron, James (HRD)
Cc: Guyer, Glenn
Subject: Military Residency Preference

Good Morning,

I just left you a voicemail but figured I'd send my question through email as well.

We have a candidate that claimed residency preference to be on our list. He lived in Springfield up until October 2010 then moved to East Longmeadow, where he still currently resides. He was deployed on April 20th, 2013 until March 10, 2014. His "Home of Record" on his DD214 was his prior Springfield address. I know that if deployed during the one year period candidates can claim residency preference for the town listed as their Home of Record or whichever town they establish residency in within 90 days of separation/release/discharge.

So, his DD214 and what he's told us conflicts. In the case of military discharge wouldn't the candidate still have to provide proof of residency for the time period they were not deployed? So, in his case he was deployed 6 days before the exam, so would he still have to provide proof of residency the same way every other candidate does up until that date then the DD214 could cover the remaining period? That seems to be what would make sense to me.

If you could clarify I'd appreciate it.


Erica Floyd
Director of Finance and Administration
Springfield Fire Department
605 Worthington Street
Springfield, MA 01105
413.750.2423

Re: Military Residency Preference

McNeill, Daniel

Sent: 7/21/2016 9:36 AM

To: Costello, Keith (HRD)

 Additional Information:

Keith - just to make sure we are on the same page, does the service member need to complete a continuous 180 days on orders (either active or reserve) at a minimum and a receive a DD214, then this individual has 90 days to claim residency in any civil service community in Massachusetts

Sent from my iPhone

On Jul 21, 2016, at 9:28 AM, Costello, Keith (HRD) wrote:

Daniel,

We spoke last week at HRD about what qualifies for Military Residency Preference. Our policy states "You must have served a period of Full-Time Military Active Duty, for which you received or will receive a DD214, during any part of the 12 month period of April 25, 2014 to April 25, 2015." Because members of the Reserve and National Guard components can be called to full time active duty, and as to the best of my knowledge full time active duty does not have a minimum length of time, a member of the reserve or guard component would qualify for this if they served a short (let's say 2 month) period of active duty, as long as they receive a DD214 for this period. They would then be able to establish residency in a different municipality within 90 days of their discharge date from that period. If they don't receive a DD214 they would not qualify for this Residency Preference.

If there is anything else you would like me to look into, please let me know.

Thanks

Keith Costello
Civil Service Unit – Human Resources Division
One Ashburton Place, Suite 301
Boston, MA 02108
Email: keith.costello@state.ma.us
Phone: 617-878-9831
Fax: 617-727-0399

EXHIBIT C:

BFD's Public Record Request Response



LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND
ECONOMIC JUSTICE
Serving Greater Boston Since 1968

November 21, 2017

Shawn Williams
Director of Public Records
1 City Hall Square, Room 615
Boston, MA 02201

RE: Public Records Request Regarding Military Residence Preference

Dear Mr. Williams:

This request is submitted pursuant to the Public Records Act, G.L. c.66, § 10, for public records in the custody of the Boston Fire Department (BFD). As used in this request, "public records" is defined as in the Public Records Act; "Military Residence Preference" refers to the application by BFD, in any of its hiring, of any residency preference for current or former military personnel; and the "Town B option" refers to the ability of certain military personnel to claim a residency preference if they establish residency in a town different from their Home of Record within 90 days of their separation/release/discharge, as referenced on the website of the Massachusetts Office of Human Resources Division (<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2016-firefighter-military-residency-preference.html>). The time frame for this records request is 2015 to the present.

1. All public records referencing, relating to, or reflecting any rules, policies, procedures, or laws regarding the Military Reference Preference.
2. All public records referencing, relating to, or reflecting any rules, policies, procedures or laws that BFD follows in investigating and/or verifying any applicant's claim of Military Residence Preference.
3. All public records referencing, relating to, or reflecting the legal authorization for the Town B option.

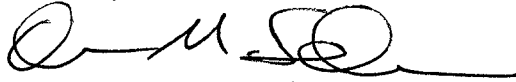
As this request involves a matter of public concern, we ask that all fees associated with this request be waived pursuant to 950 C.M.R. § 32.06(5). The purpose of this request is to gain information about the Military Residence Preference. The information will not be used for any commercial purpose. If the waiver is denied and you expect the fee to exceed \$10.00, please provide a detailed fee estimate.

The Public Records Law requires that you comply with this request within 10 business days following receipt. If your response to any portion of this request is that said request or portion of said request is not public, please set forth in writing the specific reasons for such denial,

including which specific exemption you believe applies. To the extent that you determine that records need to be redacted in order to be produced, please do so rather than withholding them in their entirety.

If you have any questions about this request, please contact me by phone at (617) 988-0608, or by email at osellstrom@lawyerscom.org. Thank you in advance for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Oren M. Sellstrom', with a long horizontal flourish extending to the right.

OREN M. SELLSTROM
Litigation Director



Fire Department

Martin J. Walsh, Mayor

December 6, 2017

Oren M. Sellstrom
Litigation Director
Lawyers' Committee for Civil Rights
and Economic Justice
61 Batterymarch Street, 5th floor
Boston MA 02110

Via Email and By First Class Mail

RE: Public Records Request Regarding Military Residence Preference

Dear Mr. Sellstrom:

I am in receipt of your public records request letter, dated November 21, 2017 and addressed to the City's Director of Public Records. That request was forwarded to my attention at the Boston Fire Department for response. Specifically, you requested "all public records referencing, relating to, or reflecting any rules, policies, procedures, or laws" (1) regarding military reference preference; (2) that BFD follows in investigating and/or verifying any applicant's claim of Military Residence Preference; and (3) the legal authorization for the Town B option. The time frame for which you request any of these records is from 2015 to the present.

As you know, the residency preference is set up by statute in M.G.L. c. 31, §58, which authorizes the administrator when certifying names from an eligible list for original appointment to a fire force to "place the names of all persons who have resided in said city or town for one year immediately prior to the date of examination ahead of the name of any person who has not so resided." Further, HRD provides and allows military personnel "who were on full-time active duty during any part of or the entire 12-month period of April 16, 2015 to April 16, 2016" (using the current eligibility list examination dates) to claim a residency preference if (1) they served a period of full time military active duty for any part of this 12 month period; (2) they were a full time Massachusetts Resident at the time of entry to full time active duty or were deployed from a city or town in Massachusetts (the "Home of Record", referred to by HRD as "Town A"); and (3) they returned to their Home of Record upon discharge from the military (Town A), OR they established residency in a different Massachusetts municipality (Town B) within 90 days of the candidate's discharge from active duty as listed on his/her military discharge papers, the DD214. A copy of the HRD's explanation of the Military Residency Preference for the 2016 Firefighter Entry Level Exam is attached.

The Boston Fire Department follows and complies with civil service laws and the rules set out by the Commonwealth's Human Resources Division regarding the hiring of firefighters, including candidates who are military veterans. The Boston Fire Department does not have any independent records referencing rules, policies, procedures or laws regarding military residency preference. Accordingly, there is no record responsive to your first request.

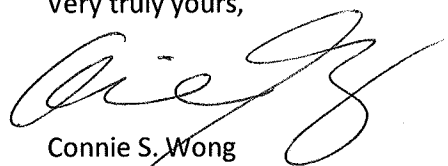
As to your second request, there are no records specifically referencing, relating to, or reflecting any rules, policies, procedures or laws that BFD follows in investigating and/or verifying an applicant's claim of military residency preference. Nonetheless, please be advised that the background investigation and/or verification of an applicant's claim for military residence preference is vetted through a combination of the candidate's application for employment, a background check of the candidate conducted for BFD by a third party vendor, and any other independent verification that may be conducted by the interview panel, members of the Personnel Division and/or the BFD's Human Resources Office during the hiring process.

Regarding legal authorization for the Town B option, please be advised that the BFD has no records responsive to this request. The Boston Fire Department vets any candidates under the Town B option according to the rules set out by HRD, which you referenced in your request. Any "record" relating to this request would be identical to the military residence preference website link you listed. I respectfully refer you to HRD and its legal counsel regarding any questions relative to the legal authority for the Town B option.

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G. L. c. 66, § 10A; G. L. c. 66, § 10A (c); 950 CMR 32.08; 950 CMR 32.08(1)(h).

Should you have questions on any of the information provided by the Department, please do not hesitate to contact me directly. My direct dial is 617-343-2251.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Connie S. Wong', written over the typed name.

Connie S. Wong
Deputy Commissioner
Labor Relations, HR & Legal Affairs

Enclosure

cc: Joseph E. Finn, Fire Commissioner/Chief of Department
Shawn Williams, Director of Public Records



The Official Website of the Executive Office for Administration and Finance

Administration and Finance

Home > Employment, Equal Access, Disability > Civil Service > Veteran & Active Military Info > Residency Pref Claim Info for Military Personnel
> 2016 Firefighter Military Residency Preference

2016 Firefighter Military Residency Preference

Information for Military Personnel Claiming Residency Preference

For the 2016 Firefighter Entry Level Exam

Pursuant to MGL Ch. 31, Section 58, an applicant is eligible to claim residency preference for the 2016 Firefighter Entry Level Exam if he or she has lived in the same civil service city or town from April 16, 2015 to April 16, 2016.

For military personnel who were on full-time active duty during any part of or the entire 12-month period of April 16, 2015 to April 16, 2016, you may still be eligible to claim residency preference if you meet the following conditions*:

- You must have served a period of **Full-Time Military Active Duty** (for which you received or will receive a DD214) during any part of the 12 month period of April 16, 2015 to April 16, 2016.
- You must have been a Massachusetts Resident at the time of entry to full-time active duty or your Home of Record on your DD214 for this period of active duty must be a city or town in Massachusetts.
- You must return to your Home of Record (Town A) or establish residency in a different Massachusetts municipality (Town B) within 90 days of the date of separation/release/discharge from this period of active duty as listed on your DD214.

Massachusetts City/Town of your residence at time of entry:	Massachusetts City/Town of your residence upon separation/release/discharge from active duty:	You may claim Residency Preference in:
Town A	Town A	Town A
Town A	Town B	Town A or Town B

Did you find the information you were looking for on this page? *

☐ Yes

☐ No

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EXHIBIT D:
BPD's Public Record Request Response



LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND
ECONOMIC JUSTICE
Serving Greater Boston Since 1968

November 21, 2017

Ms. Martha DeMaio
Director of Public Information
One Schroeder Plaza
Boston, MA 021220
Attn: Martha DeMaio

RE: Public Records Request Regarding Military Residence Preference

Dear Ms. DeMaio:

This request is submitted pursuant to the Public Records Act, G.L. c.66, § 10, for public records in the custody of the Boston Police Department (BPD). As used in this request, “public records” is defined as in the Public Records Act; “Military Residence Preference” refers to the application by BPD, in any of its hiring, of any residency preference for current or former military personnel; and the “Town B option” refers to the ability of certain military personnel to claim a residency preference if they establish residency in a city or town different from their Home of Record within 90 days of their separation/release/discharge, as referenced on the website of Massachusetts’ Office of Human Resources Division (<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/vet-and-active-duty-military-info/residency-pref-claim-info-for-military/2017-police-officer-military-residency-preference.html>). The time frame for this records request is 2015 to the present.

1. All public records referencing, relating to, or reflecting any rules, policies, procedures, or laws regarding the Military Residence Preference.
2. All public records referencing, relating to, or reflecting any rules, policies, procedures, or laws that BPD follows in investigating and/or verifying any applicant’s claim of Military Residence Preference.
3. All public records referencing, relating to, or reflecting the legal authorization for the Town B option.

As this request involves a matter of public concern, we ask that all fees associated with this request be waived pursuant to 950 C.M.R. § 32.06(5). The purpose of this request is to gain information about the Military Residence Preference. The information will not be used for any commercial purpose. If the waiver is denied and you expect the fee to exceed \$10.00, please provide a detailed fee estimate.

The Public Records Law requires that you comply with this request within 10 business days following receipt. If your response to any portion of this request is that said request or portion of said request is not public, please set forth in writing the specific reasons for such denial, including which specific exemption you believe applies. To the extent that you determine that records need to be redacted in order to be produced, please do so rather than withholding them in their entirety.

If you have any questions about this request, please contact me by phone at (617) 988-0608, or by email at osellstrom@lawyerscom.org. Thank you in advance for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'O M Sellstrom', with a long horizontal flourish extending to the right.

OREN M. SELLSTROM

Litigation Director

December 12, 2017

Oren Sellstrom, Esq.
Lawyers' Committee for Civil Rights and Economic Justice
61 Batterymarch Street, 5th Floor
Boston, MA 02110

Re: Public Records Request

Dear Attorney Sellstrom:

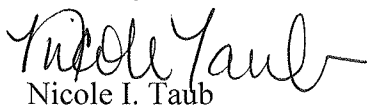
You have requested documents in the possession, custody or control of the Boston Police Department under the Massachusetts Public Records Request Act (M.G.L. c. 66 §10). Specifically, you requested documents relating to the Military Residence Preference and the Town B option, both of which are governed by the Commonwealth of Massachusetts, Human Resources Division.

A search of records was conducted and responsive documents are attached. Additionally, please be advised that the Department is currently in the process of revising the Recruit Investigations Unit Standard Operating Procedures (copy attached). Where the revised version exists only in draft form, and internal policy discussions are ongoing, they are exempt from disclosure by M.G.L. c. 4 §7(26)(d).

Please be advised that this office does not provide legal assistance, opinions or explanations about police policy to the public, and will not respond to any such request. If you have been denied records by the Boston Police Department, you have the right to appeal this decision with the Supervisor of Public Records at the Public Records Division of the Secretary of the Commonwealth.

Should you have any questions or require any additional information, including an update as to the status of these protocols, please do not hesitate to contact this office at (617) 343-4550.

Sincerely,



Nicole I. Taub

Enclosures



The Official Website of the Executive Office for Administration and Finance

Administration and Finance

★ Home > Employment, Equal Access, Disability > Civil Service > Veteran & Active Military Info > Residency Pref Claim Info for Military Personnel
> 2017 Police Officer Military Residency Preference

2017 Police Officer Military Residency Preference**Information for Military Personnel Claiming Residency Preference**

For the 2017 Police Officer Entry Level Exam:

Pursuant to MGL Ch. 31, Section 58, an applicant is eligible to claim residency preference for the 2017 Police Officer Entry Level Exam if he or she has lived in the same civil service city or town from March 25, 2016 to March 25, 2017.

For military personnel who were on full-time active duty during any part of or the entire 12-month period of March 25, 2016 to March 25, 2017, you may still be eligible to claim residency preference if you meet the following conditions*:

You must have served a period of Full-Time Military Active Duty (for which you received or will receive a DD214) during any part of the 12 month period of March 25, 2016 to March 25, 2017. You must have been a Massachusetts Resident at the time of entry to full-time active duty or your Home of Record on your DD214 for this period of active duty must be a city or town in Massachusetts. You must return to your Home of Record (Town A) or establish residency in a different Massachusetts municipality (Town B) within 90 days of the date of separation/release/discharge from this period of active duty as listed on your DD214.	Massachusetts City/Town of your residence at time of entry:	Massachusetts City/Town of your residence upon separation/release/discharge from active duty:	You may claim Residency Preference in:
	Town A	Town A	Town A
	Town A	Town B	Town A or Town B

Did you find the information you were looking for on this page? *

☐ Yes

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BOSTON POLICE RECRUIT INVESTIGATIONS STANDARD OPERATING PROCEDURES

S.O.P. BACKGROUND INVESTIGATION PROCEDURES

I. PURPOSE

The purpose of this SOP is to ensure the Recruit Investigations Unit conducts a thorough background investigation on candidates applying to become Boston Police Recruit Officers, with the tools currently available to them. The Recruit Investigations staff is a support unit to the Director of Human Resources and will provide guidance in establishing a comprehensive assessment of the applicant.

II. POLICY

It is the policy of the Boston Police Department to obtain the best employees possible based on the Civil Service list provided to the BPD. To that end, the department shall practice a well-organized selection procedure while simultaneously affording an equal opportunity to everyone.

III. DEFINITIONS

- A. **Department.** The department shall mean the Boston Police Department.
- B. **Civil Service Test.** A written test that measures the basic skills necessary to function as a police officer. Civil Service is a merit system under which State and municipal employees may be hired. The Civil Service Unit within the Human Resources Division is responsible for overseeing the administration of this test for the Commonwealth. (*Mass.gov/Civil Service*).
- C. **Civil Service Eligibility List.** The list compiled by Civil Service where recruit candidates are selected from an order of rank. The ranking currently falls as follows: Disabled Veterans, Veterans, Survivors of Police Officers, Cadets and then highest mark.
- D. **Orientation.** The process in which recruit candidates are introduced to the Boston Police Department. Employment applications are handed out during this session.
- E. **Oral Interview.** An interview of each recruit candidate will be conducted by an RIU Investigator. The investigator will determine if the candidate meets minimum requirements for employment.

- F. **Background Investigation.** The process in which a recruit investigator verifies all the information submitted by a recruit candidate.

IV. PROCEDURES FOR HANDLING BACKGROUND INVESTIGATIONS

All elements of the selection process for all recruit candidates will be administered in a uniform manner. Failure of applicants to meet the minimum requirements will exclude the candidate from continuing in the selection process. Candidates will then be encouraged to withdraw from the process. **Candidates shall not be told they will be “by-passed.” This will be done by the Human Resources Department in writing.**

1. Written Entry Level Police Officer’s Civil Service Exam.

- a. The exam is administered by the Civil Service Unit within the Human Resources Department of the Commonwealth of Massachusetts. This exam is given every two years. Once the City of Boston Police Commissioner determines there is a need for additional police officers he shall obtain a viable list of candidates through the Director of Human Resources, BPD. The list is usually received within a 10 business day period (two weeks) from Civil Service. See Mass.gov/CivilService for eligibility requirements.
- b. Once the Alpha “eligibility list” is comprised by BPD Human Resources, candidates will have 10 business days to sign the list at Headquarters. The hours to sign the list are Monday through Friday from 7:30 am to 5:00 pm. Detectives will be assigned to Headquarters in order to maintain the veracity of said list. The list is kept at the Internal Affairs Division overnight. After the 10 business days has elapsed, Human Resources will supply Recruit Investigations a list in alphabetical order of candidates wishing employment as police officers. The original list is kept by Human Resources. A copy is kept by Recruit Investigations.

2. Recruit Candidates Orientation Phase.

- a. During orientation candidates are summonsed to Headquarters 5 business days after the closing of the list. The RIU Commander will see to it that Media Room is reserved with the Office of the Police Commissioner. They are expected to arrive by 7:30 am. This is customarily done on Saturday and Sunday contingent on the amount of candidates expected. Candidates are advised beforehand of what is expected of them and the time commitment on a letter drafted by the Recruit Investigations Unit, and given at the time they sign the eligibility list.
- b. Orientation serves multiple purposes. During this phase candidates are given and instructed how to fill out the Recruit Candidate police application. A supervisor or designee from RIU explains the application, time frame and expected documents

from the applicant. The applicant is also informed of exclusions which may prohibit him or her from continuing to the next phase. Applicants can also have any questions answered by a recruit investigator or supervisor at this time. Candidates are given two (2) weeks to complete the application and return it for a formal interview with a Recruit Investigations detective. All RIU detectives shall participate.

3. Recruit Candidates Interview Phase.

- a. During this phase candidates return with completed recruit applications. RIU Commander will see to it that Media Room is reserved with the Office of the Police Commissioner. Interviews are conducted on Saturday and Sunday depending on the class size the Commissioner requests. The interviews can run from 7:30 am to 5:00 pm. Candidates are advised of this during the Orientation phase. All RIU detectives shall participate.
- b. Candidates meet individually with a detective to go over their completed application. If a candidate falls within an **EXCLUSION**, they will be advised by a detective with consultation with the RIU Commander or supervisor on viable steps. See attached list of exclusions. **(Attachment#1)**
Candidates will not be told they will be by-passed. The RIU Commander or supervisor will determine if a candidate will benefit from withdrawing at this time.
- c. During the interview phase recruit candidates will also be drug tested by the Medical Unit. The Crime Scene Unit, with the assistance of BAT personnel, will conduct an IAFIS (automated fingerprint identification) on all candidates.

4. Background Investigations Phase.

- a. Detectives are handed out an even amount of files. They are expected to complete one to two files per week. All investigations are conducted simultaneously. Repeat candidates will submit an entirely new application. **Detectives will not "just update the previously submitted application." Detectives are allowed to use information in former application to streamline their independent investigation.**
- b. Detectives will investigate candidates per ranking order on the Civil Service list. Candidates will not be purposely skipped over unless a good reason dictates so after conferring with the RIU Commander or supervisor.
- c. Reports submitted to the Human Resources Director and RIU Commander/or supervisor will be uniform in nature. This report shall be known as the Private Confidential Memorandum. Hereinafter known as the PCM. The PCM shall include pertinent information as to the suitability of an applicant.

Detectives shall not include any opinions of the candidate in the PCM report. See the attachment as an example of a PCM. (Attachment #2)

- d. Detectives shall exhaust the following investigative checklist during candidate investigations. This checklist provides an investigator a general guideline. Any other information obtained by an investigator towards the suitability of a candidate should also be explored. Detectives will conduct home visits on all applicants with another detective. This is not only to establish residency, but to further observe the applicant in his/her own environment. The detective shall be cognizant of living conditions, associations with other members of the household, and interaction with citizens in the immediate area.
- e. Detectives will confirm all information provided by the applicant, and any information provided by the applicant's family members, employment supervisors, or neighbors. This will be completed by calling the telephone number provided by the individual, confirming that the person did in fact fill out the information. In no case shall completed forms be funneled through without verification of their authenticity.
- f. Detectives will obtain court records, copies of police reports, video and audio recordings, and any other information through official sources, preferably in person. In all cases the detective will provide a business card identifying him/her. The goal is to establish a network of official contacts.
- g. In cases where warranted and upon approval by the RIU Commander, surveillance will be conducted to establish additional information regarding the applicant. This is done only after establishing a valid concern and only at the direction of the Commander. Examples may include lying on an application about residency, employment, or ongoing criminal activity. Detectives shall establish ongoing contact with the applicants. Detectives shall be readily able to identify his/her applicant and provide detailed information regarding the applicant.

CJIS (Criminal Justice Information Services)

- **QH/QR** (Criminal History NCIC/III)
- **BOP** (MA Criminal History)
- **BSUM** (MA Criminal History Summary)
- **BOPFI** (MA License to Carry/LTC/Firearms Identification Card/FID)
- **IAQ** (INS Immigration Alien)
- **IQ/FQ/AQ** (Criminal History Record Information/CHRI)
- **FSI** (MA Firearms Ownership)
- **KQ** (Driver History)
- **Q5** (MA Suicide Check)

- **R1, R3** (MA Driver's License)
- **RQF** (MA Recent Inquiries)
- **SX** (MA Sex Offender)
- **SWQ** (State Warrant)
- **Vehicle** (Vehicle Inquiry)
- **WMS** (MA Warrants)

RICI (Repository Integrated Criminalistic Imaging)

- **Booking**
- **Criminal History**

FBI/IDENTIFICATION (Prints)

BPD INCIDENT REPORTS

CITIZENSHIP

COPLINK

GANG DATABASE

FIO'S (Field Interrogations & Observations)

PICS/BPD

OUTSIDE JURISDICTION/OTHER POLICE DEPARTMENTS

VOTER REGISTRATION

CROSS REFERENCE: FAMILY, FRIENDS AND ASSOCIATES.

h. Detectives will include in their PCM the following information:

- **Criminal History**
- **Driver History**
- **Military History** (see residency preference at www.mass.gov/csc)
- **Use of Sick Time**
- **Education**
- **Employment History**
- **Residency** (1 year in the City of Boston prior to the exam)
- **Confidential Neighbors Assessment**
- **Personal References**
- **Drug Usage**
- **Financial Records**

- **Other** (any information in a candidate's background that demonstrates his or her suitability to be a police officer).
- i. The RIU Commander/Supervisor will review the contents of the PCM for accuracy, grammar and spelling. The Commander/Supervisor will on occasion, when warranted, cross-reference the data detectives are submitting. If background information is incomplete or inaccurate, the Commander/Supervisor will re-assign the case back to the detective requesting further information.
 - j. Once the Commander/Supervisor reviews the file in its entirety, it shall be placed in ranking order and ready for submittal to the Human Resources Director for "round-table" approval.

5. Round-Table Phase.

- a. During the roundtable phase the Deputy Superintendent (BPS), Director of Human Resources, Legal Department Representative, Medical Unit Representative, RIU Detective and the RIU Commander/Supervisor review each recruit candidate. Roundtables are conducted bi-weekly unless instructed by BPS Deputy Superintendent otherwise.
- b. Commander/Supervisor shall review all files creating a synopsis of the candidate.
- c. Detectives will assist with delivering files to IAD for roundtables and delivering files back to RIU after withdrawal, failure to complete, and bypass.
- d. **Discretionary interviews** is described as an interview in which candidates are given the opportunity to explain a negative (s) issue (s) discovered during their background investigation. Detectives shall be available to attend discretionary recorded interviews. These interviews are conducted by the assigned detective with the BPS Deputy Superintendent and RIU Commander/Supervisor in attendance.

6. Physical Agility Phase.

- a. Detectives shall be available to attend the Physical Abilities Testing (PAT). The PAT is administered by Commonwealth of Massachusetts. You may go online at mass.gov to view the PAT.
- b. Detectives will not encourage or cheer candidates at the PAT Testing site. Only State PAT staff are allowed to interact with candidates.
- c. Letters confirming a candidate has successfully completed the PAT will be given by the Human Resources Director, RIU Commander or Director of the Medical Unit.

7. Civil Service Hearings Phase.

- a. Civil Service hearings are administered by the State. Hearings are conducted when a party believes he/she has been aggrieved during the selection process.
- b. Detectives will be expected to attend Civil Service Hearings preparing to testify after reviewing a copy of the original file. Detectives and Commander will be briefed by the Legal Department pertaining to issues of the appeal.

This SOP is intended to provide a general working knowledge of the tasks expected of the staff at the Recruit Investigations Unit. Candidate applications are taken on a case by case basis and may have extenuating circumstances which will need to be evaluated. Please consult with the RIU Commander/Supervisor should the need arise.

Exclusions and Timeframe Guidelines

- **Felony conviction.**
- **Not a US citizen (must be naturalized or born here).**
- **High School Diploma or GED. Online GED school must be accredited.**
- **Continued without a finding "Felony" (CWOFF). Juvenile & Adult. Check with supervisor.**
- **NSC Class (bad driver class attended) within 5 years. NSC Class taken 3 surcharge-able events in 2 years.**
- **209A RO within last 10 years. One year RO as opposed to the 10 days, you want to check with Supervisor.**
- **OUI within last 10 years. Unless Not Guilty, then depends on circumstances. Check with Supervisor.**
- **209A involving documented violence. Check with supervisor.**
- **Residency-must have been a resident 1 year prior to taking civil service exam. There are specific military exceptions. Get updated exceptions from www.mass.gov/civilservice.**

This list is not exhaustive and is intended to provide a broad, general guideline. **Moreover each scenario is taken on a case by case basis and may have extenuating circumstances which will need to be evaluated.** Any of the above could exclude a person from the job. If they don't withdraw, there is likelihood they may be bypassed.

Revised: 7/28/14

(Attachment #2)

To: Devin Taylor
Director of Human Resources

Sergeant Detective José L. Lozano
Commander, Recruit Investigations Unit

From: Detective Frank Columbo
Recruit Investigations Unit

Date: September 22, 2015

Re: Student Officer Applicant: John Doe
DOB: 08/10/84 SSN: xxx-xx-xxxx

I respectfully submit the following summary regarding the background investigation of recruit applicant: John Doe.

CRIMINAL HISTORY

DRIVER HISTORY

OLN: SXXXXXXXX STATUS: ACTIVE
NO HISTORY

MILITARY HISTORY

EDUCATION

EMPLOYMENT HISTORY

RESIDENCY

NEIGHBORS

PERSONAL REFERENCES

DRUG USE

FINANCIAL RECORDS

OTHER

Respectfully submitted,

Detective Frank Columbo, ID#0000

RECRUIT INVESTIGATIONS UNIT

STANDARD OPERATING PROCEDURES (SOP)