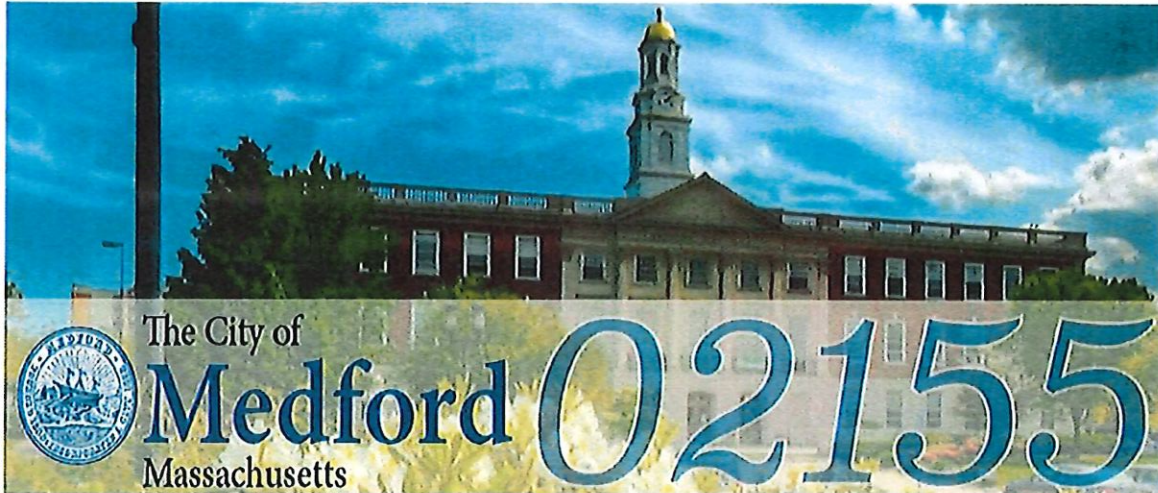


CITY OF MEDFORD



GUIDE TO CONSTABLE LICENSES

Standards:

Persons interested in serving as a Constable of the City of Medford must obtain a license pursuant to MGL Chapter 41, Section 91B. A license must be obtained before serving as a Constable in the City. If you are applying to renew a Constable license, you are advised to file your application in a timely manner to avoid a lapse in appointment.

The Mayor of the City of Medford appoints Constables only for the service of limited forms and civil process within the geographical boundaries of the City of Medford. Powers and duties conferred at appointment are strictly limited to only those necessary for this purpose. Constables so appointed are not empowered to and shall not act as police officers. Constables shall not make arrests or otherwise take persons into their custody. They shall not serve warrants, capias or criminal process. Constables shall not obtain CORI (Criminal Offender Record Information) through CJIS (Criminal Justice Information System).

The number of Constables appointed by the Mayor shall be no more than twenty (20) at any one time. An increase in this number must be approved by the Mayor only, subject to the needs of the community. Applications for Constables, regardless of qualifications, shall not be accepted for consideration when the available positions are satisfied.

Section 91B. Constables shall not be appointed by mayors or selectmen under section ninety-one or ninety-one A except as hereinafter provided. A person desiring to be appointed as aforesaid shall make a written application therefor to the appointing authority stating his reasons for desiring such appointment and such information as may be reasonably required by said authority relative to his fitness for said office. Such application shall also contain a statement as to the moral character of the applicant signed by at least five reputable citizens of the city or town of his residence, one of whom shall be an attorney-at-law. The appointing authority shall also investigate the reputation and character of every applicant and his fitness for said office. The chief of police or other official having charge of the police shall upon request give the appointing authority all possible assistance in making such investigation. The office of constable shall be filled only by appointment of an applicant hereunder who is found by the appointing authority, after investigation as aforesaid, to be a person of good repute and character and qualified to hold said office.

Advisements:

Residents and those who regularly perform constable work within the City of Medford wishing to become a Constable of the City of Medford should read and fully understand all of the requirements and obligations as outlined in this document. Constables will be licensed for a term of three (3) years ending on December 31st of the final year, and must apply for renewal NO LATER than October 15th prior to expiration to ensure sufficient time to process the application.

Requirements:

To apply to become a Constable, you will need to meet the following requirements:

- You must be 21 years of age or older.
- You must reside in Medford or regularly perform constable work within the City of Medford.
- You must be recommended by a practicing attorney who resides in Medford.
- You must be recommended by four (4) reputable citizens who reside in Medford.
- You must be deemed a suitable individual by the Medford Police Department and by the Mayor of Medford.
- You must obtain a Constable Bond in the amount of \$5,000.00.
- You must have paid all taxes, fees or fines owed to the City of Medford.
- You must remain a resident of Medford or regularly perform constable work within the City of Medford throughout your tenure as a Constable.

Documents Required:

The Medford Police Department will provide to you an application packet. Please read the application carefully, and type or print legibly all of the information requested. The City will not process an incomplete application packet. It is your obligation to accurately and completely fill out the application. Incomplete and/or illegible applications will not be processed. The following documents will be required;

- A completed and signed Constable Application.
- A valid Massachusetts driver's license.
- A high school diploma, general equivalence diploma (GED) or college diploma.
- Proof of residency. This could include a copy of your voter registration or a utility bill. (Vehicle registrations, cell phone bills and credit card bills will not be accepted) or proof of constable work performed within the City of Medford.

Application Process:

- Make an appointment with the Medford Police Department's License Bureau to obtain an application packet.
- Payment of a \$50.00 non-refundable fee made out to the City of Medford is due upon receipt of the application packet. The fee will cover the cost of the required background check.
- You will be photographed upon receipt of the background fee.
- Provide to the Medford Police Department proof of residency or proof of constable work performed within the City of Medford.
- Provide to the Medford Police Department your active Massachusetts driver's license.
- The completed application packet must be submitted to the Medford Police Department's Licensing Bureau for processing no later than October 15th.
- The application must include a recommendation by a practicing attorney who resides in Medford.
- The application must include recommendations from four (4) reputable citizens who reside in Medford.
- The Medford Police Department Licensing Bureau will submit the completed applications and background investigation to the Chief of Police or his/her designee.
- The Chief of Police or his/her designee will forward applicants who have completed the above process to the Mayor of the City of Medford with a recommendation as to the fitness, reputation and character of said applicant based upon the background investigation.
- The Mayor of the City of Medford will make a determination as to your good reputation and character and approve your qualification to hold office.
- The Mayor's Office will send you a letter conditionally approving the application. The conditional approval will be good for ten (10) calendar days. During this time you must provide to the City of Medford Treasurer a Constable License fee of

\$250.00, proof of insurance and present a Constable Bond in the amount of \$5,000.00.

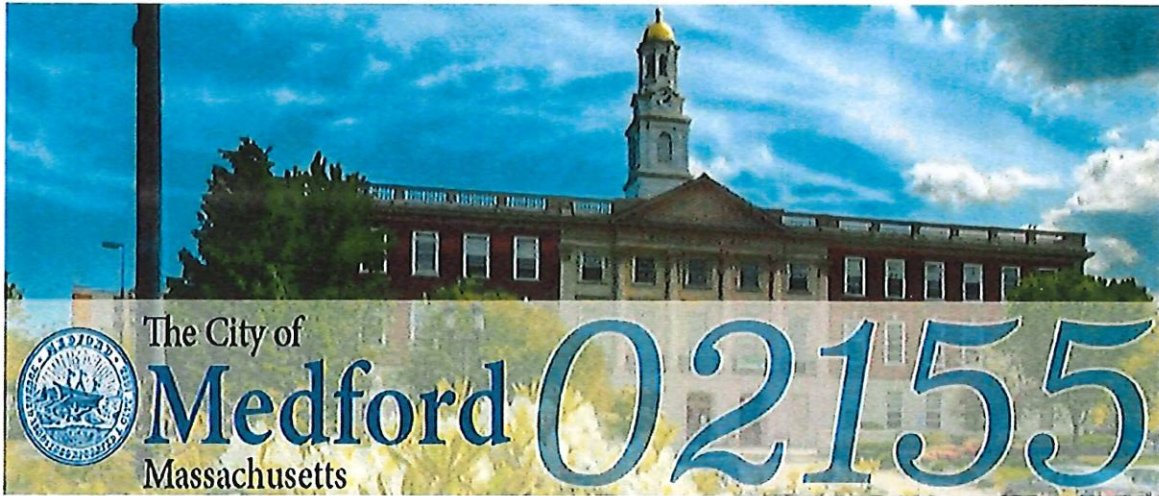
- You will then receive a letter informing you when to report to be sworn in as a City of Medford Constable.

Annually all Constables of the City of Medford will be required to submit to the Mayor's Office a report of all processes served during the calendar year.

Note that under Massachusetts General Laws, you are obligated to make certain payments to the City of Medford for your service of civil process. This Application is provided for your information to explain the details of these quarterly payments. Your ongoing appointment as Constable is subject to the timely receipt of these quarterly payments.

Section 95A. Constables appointed under sections 91, 91A, and 91B or otherwise elected to serve as constables in a city or town shall periodically pay the city or town in which the constable is appointed or elected 25 percent of all fees the constable collects for the service of civil process under the fee structure established in section 8 of chapter 262. This payment shall be made in installments to be deposited with the city or town treasurer not later than January 15, April 15, July 15 and October 15 of each year, but a constable having less than \$500 to deposit at that time shall hold the share for deposit until the sooner of October 15 or the time when the amount due to the city or town under this section equals or exceeds \$500. A treasurer receiving funds under this section shall deposit them into the general fund of the city or town, and they shall be expended, subject to appropriation by a majority vote of the city council in a city or by a majority vote of town meeting in a town, for any purpose which the city or town considers necessary.

CITY OF MEDFORD



POLICY ON APPOINTMENT OF CONSTABLES

Policy Statement:

The City of Medford recognizes its responsibility for the Mayor to appoint as constables only those qualified individuals who are of good repute and character. This policy will serve as a guide to the application, screening, and appointment process for Constable in the City of Medford.

References:

- M.G.L. c. 41 § 91A - Appointment of Constables
- M.G.L. c. 41 § 91B - Appointments; qualifications; application; investigation
- M.G.L. c. 41 § 92 - Service of Civil Process
- M.G.L. c. 41 § 94 - Powers and Duties

Special Terms:

None.

Policy Description:

I. Appointment

A. Application: Candidates for appointment shall submit a completed application to the Chief of Police for processing.

1. The application shall contain the applicant's reasons for appointment and other such information as may be reasonably required to determine the applicant's fitness for the position, including, but not limited to:

- a) Proof of Medford residency and those who regularly perform constable work within the City of Medford;
- b) Demonstrated experience in serving process; and
- d) Demonstrated experience interacting with state and local law enforcement.

2. The application must also contain signed statements as to the moral character of the applicant by five (5) reputable citizens of the City of Medford, one of who must be an attorney (who is currently a member of the Massachusetts Bar and in good standing).

B. Background Investigation: All applicants for the position of Constable must submit to an investigation of their reputation, character, and qualifications to hold the position. The Chief of Police, or his/her designee, will conduct this CORI background check, after authorization to conduct same by the applicant, and background investigation. The background investigator may personally interview the applicant. The City shall comply with the requirements of the CORI Regulations, 803 CMR 2.00, and the City's CORI Policy relative to such background check.

C. Recommendation: The Chief of Police, or his/her designee, will make a written report as to the applicant's suitability for the position of constable. The report will include a summary of the results of the background investigation and findings of fact relative to the applicant's reputation, character, and qualifications. The Chief of Police will make a final written recommendation to the Mayor as to whether the applicant should be appointed. If the application is not recommended by the Chief of Police for approval, then the application will not go forward.

D. Number of Constables and Term of Office: The number of constables appointed by the City of Medford shall be no more than twenty (20) at any one time for three (3) year staggered terms. An increase in this number must be approved by the Mayor, subject to the needs of the

community. Applications for constable, regardless of qualifications, shall not be accepted for consideration when the available positions are satisfied.

E. Notification: Applicants for constable shall be notified in writing of the date and time that their application shall be considered by the Mayor, at which time the applicant must be present.

F. Identification Cards: All constables upon appointment by the Mayor and being sworn in by the City Clerk shall receive an Identification Card issued by the City of Medford Police Department. The Identification Card shall be valid for the term of the appointment. A new Identification Card with updated photograph is required with each reappointment. Lost identification cards must be reported to the Police Department. Identification Cards are the property of the City of Medford and must be surrendered upon the demand of the Mayor, upon end of appointment term, resignation, removal or any separation of service. Constables shall submit a valid government-issued photo identification and constable appointment papers to receive identification cards. Constables shall carry identification cards while in the performance of their duties, and they shall be displayed upon request by any citizen or police officer.

G. Bonds: All constables upon appointment by the Mayor are subject to the maximum bonding requirements set forth in M.G.L. c. 41 § 92. A constable who has filed such a bond, in a sum of not less than \$5,000.00, may, within the City of Medford, serve any writ or other process in a personal action in which the damages are laid at a sum not exceeding \$7,000.00 and any process in replevin in which the subject matter does not exceed in value \$7,000.00. Any appointment to the position of constable is subject to revocation in the event that such bond lapses, expires, or is reduced below the required \$5,000.00, or in the event that a constable is found to be serving process in matters in which damages are laid at a greater sum than authorized.

II. Standards of Conduct

A. Limitation of Powers and Duties: The City of Medford appoints constables only for the service of limited forms of civil process within the geographical boundaries of the City of Medford. Powers and duties conferred at appointment are strictly limited to only those necessary for this purpose. Constables so appointed are not empowered to and shall not act as police officers. Constables shall not make arrests or otherwise take persons into custody. Constables shall not serve warrants, capiases or criminal process. Constables are not authorized to obtain CORI regarding third-parties through CJIS. Constables under investigation for violations of

conduct may have their duties suspended or minimized during the investigation process.

Rule 1 - Conduct Unbecoming A Constable

Constables shall not commit any specific act or acts of improper, unlawful, disorderly or intemperate conduct, which reflect(s) discredit or reflect(s) unfavorably upon the constable, upon other constables or upon the position of constable. Constables shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on their position and the City of Medford.

Conduct unbecoming a constable shall include that which tends to indicate that the constable is unable or unfit to continue in his or her position, or tends to impair the operation, morale, integrity, reputation or effectiveness of the position of constable, or is beyond the scope and authority granted to them under M.G.L. 41 s94.

Rule 2 – Abuse of Position

Constables shall not use their official position or Identification Cards for (a) personal or financial gain; (b) for obtaining privileges not otherwise available to them except in the performance of duty, or (c) for avoiding consequences of illegal acts. Constables shall not lend their Identification Cards to another person. If issued an Identification Card, the Identification Card remains the property of the City of Medford and must be returned upon separation of service.

Rule 3 – Incompetence

Constables shall maintain sufficient competency to perform their duty and to assume the responsibilities of their position.

Rule 4 – Courtesy

Constables shall not be rude, impolite or inconsiderate to the public, their fellow constables, or City employees. They shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying circumstances.

Constables shall answer questions from citizens in a courteous manner and, if unable to supply an answer, shall make every effort to obtain the answer for the citizen, avoiding argument and unnecessary conversation.

Constables shall adhere to all policies applicable to an employee of the City of Medford.

Rule 5 – Identification

While in the performance of their duties, constables shall properly identify themselves to any person requesting this information. Constables shall not use or display blue lights on motor vehicles or use or display badges or other items of identification containing the words “police” or “law enforcement.”

Rule 6 – Policy & Procedure Compliance

Constables shall read, be familiar with and comply with the requirements of this policy and the rules and procedures contained herein.

Rule 7 – Criminal Conduct

Constables shall not commit any criminal act (felony or misdemeanor), or violate the regulatory or criminal laws or statutes of the United States or of any state or local jurisdiction (by- law/ordinance).

Rule 8- Reporting Citizen Complaints

Constables shall promptly and courteously make a written record of any complaint made by a citizen against themselves or any other City of Medford constable. Constables may not try to discourage any citizen from filing a complaint with the City.

III. Removal from Office

The Mayor reserves the right to revoke the appointments of those constables who violate this policy or otherwise demonstrate a lack of fitness for the position.



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

APPLICATION FOR A CONSTABLE LICENSE CITY OF MEDFORD

Medford residents and those who regularly perform constable work within the City of Medford wishing to become a Constable of the City of Medford should read and fully understand all of the requirements and obligations as outlined in this document and sections 91 through 95B of Chapter 41 of the Massachusetts General Laws. Constables will be licensed for a term of three (3) years ending on December 31st of the final year, and must apply for renewal NO LATER than October 15th **prior to expiration** to ensure sufficient time to process the application.

Please read the application carefully, and type or print legibly all of the information requested. The City will not process an incomplete application packet. It is your obligation to accurately and completely fill out the application. Incomplete and/or illegible applications will not be processed.

NOTE: Incomplete applications, applications with incorrect information or applications improperly filled out will result in disqualification from consideration.

Refer to the Medford Police Department website at www.medfordpolice.com for guidance through this process. The website includes all information, documentation and processes you will be required to comply with.

The Mayor of the City of Medford appoints Constables only for the service of limited forms and civil process within the geographical boundaries of the City of Medford. Powers and duties conferred at appointment are strictly limited to only those necessary for this purpose. Constables so appointed are not empowered to and shall not act as police officers. Constables shall not make arrests or otherwise take persons into their custody. They shall not serve warrants, capiases or criminal process. Constables shall not obtain CORI (Criminal Offender Record Information) through CJIS (Criminal Justice Information System) or otherwise have access to the CJIS database. Any appointee attempting to use his/her authority as a constable in an improper fashion shall be found to have engaged in gross misconduct, and his/her Constable Appointment shall be terminated by the Mayor.

Please Complete the following application. Do not leave any section blank.



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

Application for Constable Appointment

Check ONE: Primary Application _____ Renewal Application _____

Name: _____

Residence: _____

Mailing Address: _____

Daytime Telephone: _____ Cell Phone: _____

Email: _____

Date of birth: _____

Present Employer/Occupation: _____

Applicant's reason for desiring appointment:

Other cities and towns where you have been appointed as a constable (please include dates):



**MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN**

I understand that the Police Chief or his/her designee shall review my application and conduct a background check, including a CORI check, prior to making a recommendation to the Mayor as to whether I am suitable for appointment as a constable. I agree to fully cooperate with this process.

I further understand that appointment as a constable does not constitute employment with the City of Medford or the Medford Police Department.

I certify, under pains and penalties of perjury, that I have completed this application truthfully.

Applicant's Signature

Date

Office Use Only

Date Received: _____ Referred to Police Chief: _____

Date Investigation completed and recommendation received: _____

Mayor Approval: _____ [] Approved [] Denied

Date Applicant notified: _____



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

**APPLICATION FOR A CONSTABLE LICENSE
CITY OF MEDFORD**

RECOMMENDATION SHEET

Applicant's Name: _____

Please read the recommendation carefully, and type or print legibly all of the information requested. The City will not process an incomplete application packet. It is your obligation to accurately and completely fill out the application. Incomplete and/or illegible applications will not be processed.

Refer to the Medford Police Department website at www.medfordpolice.com for guidance through this process. The website includes all information, documentation and processes you will be required to comply with.

Please Complete the following recommendations.

Attorney Recommendation

I, being a member of the Massachusetts Bar in good standing for the last ____ years, and being a Medford resident, do state upon honor that the applicant is a Medford resident personally known to me, that I have reviewed this application and believe each of the statements on it to be true, and that the applicant is a person of good moral character and reputation, and competent to perform the duties of a Constable.

Signature: _____

Print Name: _____

Business Address: _____

Phone Number: _____ Email: _____

Reputable Citizens Recommendation

1. I, the undersigned Medford resident, hereby state that the applicant is a Medford resident personally known to me, that I have reviewed this application and believe each of the statements on it to be true, and that the applicant is a person of good moral character and reputation, competent to perform the duties of a Constable.

Signature: _____

Print Name: _____

Address: _____

Phone Number: _____ Email: _____



**MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN**

2. I, the undersigned Medford resident, hereby state that the applicant is a Medford resident personally known to me, that I have reviewed this application and believe each of the statements on it to be true, and that the applicant is a person of good moral character and reputation, competent to perform the duties of a Constable.

Signature: _____
Print Name: _____
Address: _____
Phone Number: _____ Email: _____

3. I, the undersigned Medford resident, hereby state that the applicant is a Medford resident personally known to me, that I have reviewed this application and believe each of the statements on it to be true, and that the applicant is a person of good moral character and reputation, competent to perform the duties of a Constable.

Signature: _____
Print Name: _____
Address: _____
Phone Number: _____ Email: _____

4. I, the undersigned Medford resident, hereby state that the applicant is a Medford resident personally known to me, that I have reviewed this application and believe each of the statements on it to be true, and that the applicant is a person of good moral character and reputation, competent to perform the duties of a Constable.

Signature: _____
Print Name: _____
Address: _____
Phone Number: _____ Email: _____



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

**APPLICATION FOR A CONSTABLE LICENSE
CITY OF MEDFORD**

CONSTABLE ADVISEMENT SHEET

The Mayor of the City of Medford appoints Constables only for the service of limited forms and civil process *within the geographical boundaries* of the City of Medford. Powers and duties conferred at appointment are strictly limited to only those necessary for this purpose. Constables so appointed are not empowered to and shall not act as police officers. Constables shall not make arrests or otherwise take persons into their custody. Constables shall not serve warrants, capiases or criminal process. Constables shall not obtain CORI (Criminal Offender Record Information) through CJIS (Criminal Justice Information System) or otherwise access the CJIS database.

Residents and those who regularly perform constable work within the City of Medford wishing to become a Constable of the City of Medford should read and fully understand all of the requirements and obligations as outlined in this document. Constables will be licensed for a term of three (3) years ending on December 31st of the final year, and must apply for renewal **NO LATER** than October 15th **prior to expiration** to ensure sufficient time to process the application.

Pursuant to G.L. c. 41, ss. 95A and 95B constables are required to deposit with the City Treasurer Collector's office, on a quarterly basis, 25% of the fees collected for the service of civil process under the fee structure established in section 8 of chapter 262 of the Massachusetts General Laws.

Please be advised that 25% of all fees collected under civil service of process must be turned over to the City of Medford via check made payable to the City of Medford, c/o the Treasurer Collector's office. The City requires payment no less than quarterly, and no later than the 15th of January, April, July and October, using the enclosed remittance form, unless the amount due and payable at any such time is less than \$500, in which case the payment may be made at the sooner of October 15 or when said amount is equal to or greater than \$500, as set forth in G.L. c. 41 s95A.

These changes also require the submission of an annual report to the City Treasurer on or before April 15th of each year, signed under the penalties of perjury, of all fees and money received by you under section 8 of chapter 262 of the General Laws for the service of civil process. This report must include an itemization of all civil process fees charged by the constable's civil process office, all revenue received from said fees and all amounts



**MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN**

paid by the constable to any city or town treasurer on account of such civil process fees under section 95A.

CONSTABLE ADVISEMENT SHEET

Should you have any questions regarding this matter, please do not hesitate to contact the Treasurer Collector's Office at 781-393-2550.

Appointment as a Constable does not constitute employment with the City of Medford or the Medford Police Department. Appointment as a Constable does not grant you the authority to act in the capacity of a Medford Police Officer. If you attempt to use any authority as a Constable in an improper fashion you will have your appointment immediately revoked as provided for under G.L. c. 41 s91.

I understand all of the above advisements and will comply with the conditions of my appointment. Signed under the penalties of perjury this _____ day of _____, 20__.

Signature: _____

Printed Name: _____



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

**APPLICATION FOR A CONSTABLE LICENSE
CITY OF MEDFORD**

Constable Remittance Form

This form must be submitted with your quarterly payment to the City of Medford's Treasurer Collector's Office, pursuant to Mass. General Laws c. 41, s95A, on or before the 15th of January, April, July and October 15th of each year, unless the amount to be deposited on any such date is less than \$500, in which case the deposit may be made on the sooner of October 15th or the date on which the amount due to the City equals or exceeds \$500.

This Report includes processes served from (month/year) _____ through (month/year) _____.

Name: _____
Business Name: _____
Address: _____
Phone Number: _____

Please List:

Fee Type	Number of Transactions	Dollar amount collected	Dollar amount Remitted

Total Amount Remitted _____

I hereby certify that the information contained herein is true and accurate to the best of my knowledge.

Signature: _____
Printed Name: _____
Date: _____

Please make your check payable to the City of Medford and forward it to the Treasurer Collector's Office at:

**Treasurer Collector
City of Medford
Medford City Hall
85 George P. Hassett Dr.
Medford, MA 02155**

**85 George P. Hassett Drive, Medford, MA 02155
781-396-5500 * www.medfordma.org**



Breanna Lungo-Koehn
Mayor

City of Medford
Office of the Mayor
Room 204, City Hall

85 George P. Hassell Drive, Medford, MA 02155
TEL: 781-393-2408 | TTY: 711 | FAX: 781-393-2514 www.medfordma.org

**Criminal Offender Record Information (CORI)
Acknowledgement Form**



To be used by organizations conducting CORI checks for employment, volunteer, subcontractor, licensing, and housing purposes.

City of Medford – Medford City Hall

(Organization)

is registered under the

provisions of M.G.L. c.6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to City of Medford – Medford City Hall

(Organization) to submit a CORI check for

my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing City of Medford – Medford City Hall

(Organization) with

written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY:

The City of Medford – Medford City Hall may conduct
(Organization)

subsequent CORI checks within one year of the date this Form was signed by me, provided, however, that

City of Medford – Medford City Hall, must first provide me
(Organization)

with written notice of this check.

By signing below, I provide my consent to a CORI check and affirm that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

Signature of CORI Subject

Date



City of Medford Office of the Mayor
 Room 204, City Hall
 85 George P. Hassett Drive, Medford, MA 02155
 TEL: 781-393-2408 | TTY: 711 | FAX: 781-393-2514 www.medfordma.org



SUBJECT INFORMATION

Please complete this section using the information of the person whose CORI you are requesting.
 The fields marked with an asterisk (*) are required fields.

* First Name: _____ Middle Initial: _____

* Last Name: _____ Suffix (Jr., Sr., etc.): _____

Former Last Name 1: _____

Former Last Name 2: _____

Former Last Name 3: _____

Former Last Name 4: _____

* Date of Birth (MM/DD/YYYY): _____ Place of Birth: _____

* Last SIX digits of Social Security Number: _____ -- _____ No Social Security Number

Sex: _____ Height: _____ ft. _____ in. Eye Color: _____ Race: _____

Driver's License or ID Number: _____ State of Issue: _____

Father's Full Name: _____

Mother's Full Name: _____

Current Address

* Street Address: _____

Apt. # or Suite: _____ *City: _____ *State: _____ *Zip: _____

SUBJECT VERIFICATION

The above information was verified by reviewing the following form(s) of government-issued identification:

Verified by: Candace Carter-Smalley

Print Name of Verifying Employee

Signature of Verifying Employee

Date