



Town of Winchendon

REQUIREMENTS FOR CONSTABLE APPLICANTS

1. All applicants must have continuously resided within the Town of Winchendon for a minimum of twelve (12) months prior to the date of their application. For the purposes of this process, "resided" shall mean actually having lived at an address within the Town of Winchendon during said time period. Any evidence uncovered that shows that the applicant was using a "straw" residence for purposes of this application shall automatically disqualify the applicant from consideration. All persons appointed to the position of constable shall continue to maintain their actual residence within the Town; otherwise, the appointment to the position of constable shall be voided.
2. There is a \$100.00 application fee, payable by Check or Money Order made out to the Town of Winchendon. This fee is non-refundable.
3. It is the responsibility of the applicant to submit a fully completed application. Applications shall only be considered if they are filled out completely and properly prior to filling; any such application which does not meet these criteria shall be automatically denied, and the burden shall be on the applicant to submit a new application that meets all filing criteria.
4. All persons renewing their applications or being initially appointed to the position of constable will be for a term of three (3) years.

Completed applications shall include all of the following:

- All applicants shall have obtained at least a high school diploma or G.E.D., and furnish proof thereof (copy) of diploma or transcript of high school, G.E.D. or college);
- All applicants shall have a current, valid Massachusetts License to Operate Motor Vehicles and furnish a copy of the front and back thereof;
- All applicants who do not have a current valid Massachusetts License to Carry Firearms shall contact the Massachusetts Department of Mental Health and obtain a records release form. This form shall be completed so as to allow the Winchendon Police Department to obtain from the DMH any and all records it may have in its possession that pertain to the applicant. The completed release form must be attached to the constable application at the time that it is submitted. Any such records obtained shall be reviewed so as to determine whether any conditions exist that would disqualify the applicant from eligibility to obtain a License to Carry. The Massachusetts Department of Mental Health can be contacted at 508-368-3838 [Worcester Office];
- All applicants shall have a current bond that will be valid for three (3) years in the minimum amount of \$5,000.00, as described in M.G.L. c. 41 s. 92, and file a copy of said bond with his/her application;
- All applicants shall state precisely, in the space provided, the reason[s] for requesting appointment as a constable, including whether he/she is to be employed independently, by another constable, or is going to work for a specific attorney or law office. If this is an application for renewal, print "renewal" in this space, in addition to the aforementioned information;
- Applicants who have served in the military must provide a certified copy of their DD-214 discharge form;

- The application must be signed by (5) residents of the Town of Winchendon, one of whom must be an Attorney-at-Law. Please note that the Attorney-at-Law must also reside in the Town of Winchendon.

Background Checks:

The Winchendon Police Department (WPD) will conduct a criminal background check, as well as a Driver's License history through the Registry of Motor Vehicles. An applicant shall be automatically disqualified from further consideration if any of the following appear on his/her criminal record:

- A. Felony conviction[s];
- B. Misdemeanor conviction[s] within the past five [5] years; or, misdemeanor conviction[s] at any time for a crime involving violence including but not limited to, simple assault and domestic violence;
- C. Any other conviction[s] which render the applicant to be disqualified from possessing firearms under either state or federal laws/guidelines;
- D. Existing restraining orders issued against him/her by any court of competent jurisdiction, whether said court is located within or without the Commonwealth of Massachusetts.

Furthermore, an applicant may be disqualified for further consideration, at the sole discretion of the Chief of Police or his/her designee, if any of the following appear on his/her criminal record:

- A. Felony arrest[s] within the past fifteen (15) years;
- B. Misdemeanor arrest[s] within the past fifteen (15) years;
- C. Poor driving record, including but not limited to:
 - a. license suspension/revocation within the last fifteen (15) years
 - b. three [3] or more findings of "responsible" on civil driving infractions in any twelve (12) month period within the last fifteen(15) years,
 - c. multiple at-fault accidents within the last fifteen (15) years

OTHER PROVISIONS

1. Additional Background Check

A further background check may be conducted at the discretion of the Chief of Police or his/her designee. Such background check may include any or all of the following steps:

1. Contacting references;
2. Contacting current and former employers;
3. Contacting schools attended
4. Participation by the applicant in an interview to be conducted by the Chief of Police's Designee[s].

2. Chief of Police's Determination

Upon consideration of the application and all relevant documentation, the Chief of Police or his/her designee shall make a determination of whether the applicant is "a person of good repute and character and qualified to hold said office." Only those applicants who meet these strictly defined criteria shall be appointed constables.

3. Notifications

Upon a determination as described in #2 above, the Chief of Police shall notify the Board of Selectmen with

respect to the Chief's finding and recommendation. If the application is approved, the Board of Selectmen will notify you of your swearing in date.

4. Identification Cards

Once sworn in, you are responsible for obtaining a constable Identification card for the current calendar year from the Town of Winchendon's Board of Selectmen's Office. The cost of this identification card is 5.00 and must be obtained **before** you may conduct any business as a Constable. You must carry this identification card with you whenever conducting business as a Constable.

5. Expiration Date

The Constable Appointment is valid for [3] years from the date the appointment is issued through June 30 of the third year only. If you were previously appointed, you must renew your appointment every three [3] years by filing an application, paying the application fee and obtaining a new Constable Identification card from the Town of Winchendon's Board of Selectmen's Office, or else you must cease functioning as a Constable for the Town of Winchendon after June 30 of the year for which the most recent ID card was issued. It is the applicant's sole responsibility to contact the Town of Winchendon Personnel Department and make an appointment to obtain the ID card.

6. Fees Collected

In accordance with M.G.L. c41 s95A, Constables appointed by the Town of Winchendon shall pay to the Town 25% of all fees collected for the service of civil process under the fee structure established by M.G.L. c262 s8. This payment shall be made to the Town of Winchendon's Collector/Treasurer's office on a quarterly basis, 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 town under this section equals or exceeds \$500.

7. Reporting

Constables appointed by the Town of Winchendon shall file, in accordance with M.G.L. c41 s95B, an itemization of all civil process fees charged and revenues received from said fees as well all amounts paid to the Town of Winchendon Treasurer's Office. This report shall be filed annually on or before April 15.

To the Board of Selectmen:

In accordance with Chapter 41 of the General Laws and Acts, and any amendments thereto, I hereby make application for an appointment as Constable for the Town of Winchendon.

My reason[s] for requesting this appointment are as follows: (Use extra page[s] if necessary.)

Full Name: _____ Date: _____
Last First M.I.

Address: _____
Street Address City, State Zip Code

Home Phone: __ (____) _____ Business Phone: __ (____) _____

Date of Birth: _____ Driver's License No: _____

Applicants Signature: _____ SS#: _____

You must be a Winchendon resident to sign below.

We hereby certify that the above-named applicant is a person of good repute and character.

| | | | |
|-----------------------------|---------------------|-----------|-----------|
| Name (Please Print Legibly) | Residential Address | Phone No. | Signature |
| Name (Please Print Legibly) | Residential Address | Phone No. | Signature |
| Name (Please Print Legibly) | Residential Address | Phone No. | Signature |
| Name (Please Print Legibly) | Residential Address | Phone No. | Signature |
| Name of Attorney at Law | Residential Address | Phone No. | Signature |

This is to certify that the Winchendon Police Department has investigated the reputation and character of the above-named applicant and find him/her **qualified/not qualified** to hold the office of Constable.

Chief of Police

Application: € Approved € Not Approved