



Massachusetts POST Commission
84 State Street, Suite 200, Boston, MA 02109

September 27, 2023

Via USPS Priority Mail [REDACTED]

Matthew Bistany

[REDACTED]
[REDACTED] MA [REDACTED]

RE: Case No. SU-2023-09-27-001 Immediate Suspension Pursuant to [REDACTED]

Mr. Bistany,

The POST Commission (“Commission”) hereby gives notice of the suspension of your law enforcement officer certification [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Your suspension is effective immediately upon receipt of this letter by you or by the head of your law enforcement agency, whichever is earlier.

Pursuant to 555 CMR 1.08(3), this notice of the Commission’s decision to suspend your certification is being sent to you, the head of your law enforcement agency, the head of your collective bargaining unit, and the district attorney’s office(s) of competent jurisdiction. **Also, please note that, if you have not done so already, both you and your employing law enforcement agency must ensure that you *immediately* surrender your law enforcement credentials to your employing law enforcement agency.²**

[REDACTED]

² See 501 CMR 15.05(1), (2)(f)-(g)

Notice of Right to a Hearing

Pursuant to M.G.L. c. 6E, § 9(d), you are entitled to a hearing before a single commissioner to review your suspension within 15 days of the effective date of this suspension. Any request for a hearing that you choose to submit must include:

- (a) Your name;
- (b) Your employing agency as of the date of the Complaint (or Criminal Complaint/Indictment)
- (c) The head of the agency you identified in (b), above;
- (d) Your mailing and email addresses;
- (e) Your phone number;
- (f) If one has been assigned, your Commission identification number;
- (g) If applicable, your attorney/representative's name;
- (h) If applicable, your attorney/representative's email address and phone number;
- (i) A brief description of the basis for the request for the hearing; and
- (j) One of the following statements:
 - *I invoke my right under M.G.L. c. 6E, § 9(d) to a hearing within 15 days of the effective date of the suspension.*
 - *I waive my right under M.G.L. c. 6E, § 9(d) to a hearing within 15 days of the effective date of the suspension and consent to receiving a hearing **after** 15 days of the effective date of the suspension.*

Under 555 CMR 1.09(2), such a request must be filed with the Commission's Executive Director within **5 days** of your receipt of this letter.

If you would like an extension of time to request a hearing, you must submit a written request within **5 days** of your receipt of this letter. Your request must include the bases for the request. A request for an extension of time shall be considered by a single commissioner upon review of the request, and shall be granted only upon a demonstration of good cause.

If you wish to request a hearing or to request an extension of time to request a hearing, please email your request to Executive Director Enrique A. Zuniga at poststandards@mass.gov, and include in the subject line "**Request for a Hearing - [REDACTED]**." A request is deemed filed on the date it is received by the Executive Director. Your failure to request a hearing or an extension of time to request a hearing within 5 days of receiving this letter may result in a waiver of your right to a hearing.

After you have filed a timely request for a hearing, you will receive a notice containing further information from the Commission.

If your suspension is not stayed by a single commissioner or set aside by the Superior Court, it will remain in effect until issuance of a final decision by the Commission regarding your status or until the Commission revokes the suspension.



Enrique A. Zuniga
Executive Director

cc: (without attachments) Chief Scott McNamara (smcnamara@ci.methuen.ma.us)
Officer Arthur Hardy (ahardy@ci.methuen.ma.us)