

**COMMONWEALTH OF MASSACHUSETTS  
PEACE OFFICER STANDARDS AND TRAINING COMMISSION**

IN THE MATTER OF  
THOMAS HELLER

)  
)

Case No. 2024-045

**SUSPENSION ORDER**

The Respondent Thomas Heller has entered into a Suspension Agreement (“Agreement”), attached hereto and incorporated herein, under which he has agreed to the suspension of his certification as a law enforcement officer in the Commonwealth of Massachusetts for a period of six months, beginning on the date of execution of the Agreement by the Massachusetts Peace Officer Standards and Training Commission (“Commission”), and certain conditions outlined in the Agreement. See M.G.L. c. 6E, §§ 3(a) and 10; M.G.L. c. 30A, §§ 10 and 13.

Failure of the Respondent to abide by the terms and conditions of the Agreement shall result in the Agreement becoming void and may result in the Commission initiating adjudicatory proceedings against the Respondent; and seeking discipline against the Respondent based on any ground supported by the evidence obtained in a preliminary inquiry, whether or not it was covered in the Agreement, up to and including the possible revocation of the Respondent’s certification and entry of his information into the National Decertification Index. The Respondent has waived all rights to contest, in this or any other administrative or judicial proceeding to which the Commission is or may be a party, the factual findings, conclusions of law, terms and conditions, and other provisions contained in the Agreement.

Accordingly, it is hereby ORDERED that, for the reasons stated in the Agreement:

- (a) The factual findings and conclusions of law set forth in the Agreement are hereby adopted;
- (b) The Respondent’s law enforcement certification is hereby suspended for a period of six months, beginning on March 20, 2025, subject to the agreed-upon conditions;
- (c) During the period of suspension, the Respondent shall not perform police duties or functions on behalf of any law enforcement agency. The Respondent shall also refrain from all conduct prohibited by the Commission during the period of suspension; and
- (d) The Executive Director shall take the necessary steps to publish the Respondent’s name and suspension status in any publicly available lists and database published by the Commission.

By vote of the Commission on March 20, 2025.

*Margaret R. Hinkle*

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Hon. Margaret R. Hinkle (Ret.)

Notice: Robert D'Auria, Esq., Respondent  
Timothy D. Hartnett, Esq., Commission's Enforcement Counsel  
Shaun Martinez, Esq., Deputy Director, Division of Police Standards  
Division of Police Standards  
Stoneham Police Department, Law Enforcement Agency  
Collective Bargaining Unit

COMMONWEALTH OF MASSACHUSETTS  
PEACE OFFICER STANDARDS AND TRAINING COMMISSION

IN THE MATTER OF			Commission Adjudicatory
THOMAS HELLER			Case No. 2024-045
(MPTC ID: 9998-0873)			

**VOLUNTARY SUSPENSION AGREEMENT**

In the interest of resolving the above-captioned matter and consistent with the public interest and laws and regulations governing the Massachusetts Peace Officer Standards and Training Commission (“Commission”), including M.G.L. c. 6E §§ 3(a), 8, and 10, and 555 C.M.R. §§ 1.01–1.10, the Respondent, Thomas Heller, and the Commission hereby enter into this Voluntary Disposition Agreement:

**Factual Findings**

1. From on or about January 5, 2001, until November 25, 2023, the Respondent was employed as police officer for the Stoneham Police Department (“SPD”).
2. On July 1, 2021, the Respondent was automatically certified as a police officer pursuant to St. 2020, c. 253, § 102, an Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth.
3. On July 1, 2022, the Commission recertified the Respondent as a police officer in the Commonwealth of Massachusetts, and his certification remains valid until July 1, 2025.
4. The Respondent, while on duty with the SPD, repeatedly and on multiple separate occasions, used language that was unprofessional, and in some instances, racially and/or culturally insensitive. The Respondent used this language during conversations he had within the workplace, with other SPD staff and officers.
5. On or about June 22, 2023, an independent investigator retained by the town of Stoneham to investigate the allegations of misconduct against the Respondent produced a report concluding that the Respondent violated Stoneham’s Discrimination and Harassment Policy, and sustained a charge of Conduct Unbecoming an Officer. On November 19, 2023, a hearing officer issued a decision finding just cause for the town to terminate the Respondent’s employment. On November 24, 2023, the Respondent resigned from the SPD in lieu of termination.

6. On April 18, 2024, the Commission, pursuant to M.G.L. c. 6E, §§ 8(c)(2) and 555 C.M.R. §§ 1.02(4), authorized the Division to conduct a preliminary inquiry into allegations of misconduct against the Respondent. On October 7, 2024, the Division submitted its report of preliminary inquiry to the Commission. Subsequently, on October 17, 2024, the Commission authorized the initiation of disciplinary proceedings against the Respondent.

### **Applicable Law**

7. Pursuant to M.G.L. c. 6E, § 3(a):

The [C]ommission shall have all powers necessary or convenient to carry out and effectuate its purposes, including, but not limited to, the power to:

- (1) act as the primary civil enforcement agency for violations of [chapter 6E]; . . .
- (4) deny an application or limit, condition, restrict, revoke or suspend a certification, or fine a person certified for any cause that the commission deems reasonable; . . .
- (23) restrict, suspend or revoke certifications issued under [chapter 6E];
- (24) conduct adjudicatory proceedings in accordance with chapter 30A; . . . .

8. Pursuant to M.G.L. c. 6E, § 10(b)(iii), “[t]he [C]ommission may [...] suspend or revoke an officer’s certification if the [C]ommission finds by clear and convincing evidence that the officer [...] has a pattern of unprofessional police conduct that [the] [C]ommission believes may escalate.”

9. The conduct described in paragraph 4 above constitutes a pattern of unprofessional police conduct that may escalate.

10. Pursuant to M.G.L. c. 6E § 10(h), the Commission may institute a disciplinary hearing after an officer’s appointing agency has issued a final disposition on the alleged misconduct.

11. Pursuant to M.G.L. c. 30A, § 10, “[u]nless otherwise provided by law, agencies may . . . make informal disposition of any adjudicatory proceeding by stipulation, agreed settlement, consent order or default.”

### **Resolution**

In view of the foregoing, the Commission has determined that the public interest would best be served by the disposition of this matter without further enforcement proceedings, on the basis of the following terms and conditions which have been agreed to by the Respondent:

12. The Respondent agrees to the suspension of his law enforcement officer certification in the Commonwealth of Massachusetts, based on the above factual findings and

pursuant to M.G.L. c. 6E §§ 3, [REDACTED] and 10(b)(v), for a period of six months, beginning on the date this agreement is executed by the Commission.

13. The Respondent agrees that, during the period of this suspension, he:
  - a. shall not perform police duties or functions on behalf of any law enforcement agency;
  - b. shall be ineligible for admission to police schools or academies;
  - c. shall not seek renewal of his law enforcement officer certification; and
  - d. shall not engage in conduct otherwise prohibited by the Commission.

14. After the period of suspension has ended, the Respondent may apply for recertification pursuant to such standards and procedures the Commission may at that time impose upon him. The Respondent shall provide the Commission with such additional information as it may at that time require, including proof of his compliance with the terms of this agreement.

15. The Respondent agrees that, if he fails to abide by any of the terms and conditions of this agreement, this agreement shall become void, and the Division may, without prior notice to the Respondent, take the following steps:

- a. initiate adjudicatory proceedings against the Respondent;
- b. seek discipline against the Respondent based on any ground supported by the evidence in its preliminary inquiry, including grounds beyond those covered by this agreement; and
- c. seek any level of discipline supported by the evidence, up to and including the revocation of the Respondent's certification and the entry of his information onto the National Decertification Index.

16. The Respondent waives all rights to contest the factual findings, conclusions of law, terms and conditions, or other provisions contained in this agreement in any administrative or judicial forum to which the Commission is or may be a party.

17. The Respondent acknowledges that, once this Agreement and any Order of Suspension issued by the Commission are executed, they will be public documents and will be published on the Commission's website pursuant to M.G.L. c. 6E, § 10(g). Furthermore, the status of the Respondent's certification will be publicly available on certain lists and databases published by the Commission.

18. This Agreement shall be effective as of the date it is approved by the Commission.

3/13/25  
Date

*Margaret R. Hinkle*  
Respondent

3/20/2025  
Date

*Margaret R. Hinkle*  
Margaret R. Hinkle, Chair