

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

IN THE MATTER OF
THOMAS RADZIK

)
)

Case No. 2024-009

SUSPENSION ORDER

The Respondent Thomas Radzik 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 90 days, 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, as well as any Order of the Commission contemplated by 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 90 days, 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

Hon. Margaret R. Hinkle (Ret.), Chair

Notice:

Daniel Fogarty, Esq., Respondent's Counsel
Tara Chisholm, Esq., Commission's Enforcement Counsel
Shaun Martinez, Esq., Deputy Director, Division of Police Standards
Division of Police Standards
Harwich Police Department, Law Enforcement Agency
Collective Bargaining Unit

COMMONWEALTH OF MASSACHUSETTS
PEACE OFFICER STANDARDS AND TRAINING COMMISSION

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IN THE MATTER OF) Commission Adjudicatory
THOMAS RADZIK) Case No. 2024-009
(MPTC ID: 6633-5732))
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_____)

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 ss 3(a), 8, and 10, and 555 C.M.R. 1.01-1.10, the Respondent, Thomas Radzik, and the Commission hereby enter into this Suspension Agreement.

Factual Findings

1. The Respondent previously served as a law enforcement officer with the Provincetown Police Department from November 2019 to March 2022.
2. The Respondent is currently employed as a law enforcement officer with the Harwich Police Department (“HPD”) since March 22, 2022.
3. On July 1, 2021, the Respondent was automatically certified as a police officer in Massachusetts pursuant to St. 2020, c. 253, § 102, an Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth. The Respondent’s certification was suspended by the Commission on February 5, 2024, and remains suspended to date.
4. On or about November 17, 2023, the Respondent, while off-duty, became engaged in a protracted driving dispute with the driver of another motor vehicle, after the two attempted to merge from two lanes to one. During the dispute, the Respondent opened the rear sliding window of his truck cab and displayed a holstered firearm to the other driver.
5. In connection with the above-mentioned driving dispute, [REDACTED]
[REDACTED] On or about February 5, 2024, the Commission suspended the Respondent’s certification. On or about [REDACTED].
6. On or about May 30, 2024, the HPD concluded its internal affairs investigation

into the November 13, 2023, incident, and issued its final report, sustaining two charges against the Respondent for violations of the HPD policies relating to Unprofessional Conduct/Conduct Unbecoming and Use of Firearms.

7. Pursuant to a December 2024 Settlement Agreement with the Town of Harwich, the Respondent acknowledged that “sufficient grounds exist[ed] for substantial discipline” and further agreed, in part: (1) that he violated HPD rules and regulations; (2) that he would serve a sixty calendar day unpaid suspension; (3) that the agreement will be in effect until November 30, 2026, and will serve as a last chance opportunity for the Respondent’s continued employment; (4) that any future proven violation of the applicable HPD policies or the terms of the Agreement shall be just cause for the Respondent’s termination; and (5) that the Chief may order the Respondent to undergo additional training as deemed appropriate.

8. On February 15, 2024, the Commission, pursuant to M.G.L. c. 6E, §§ 8(c) (1) and (2) and 555 C.M.R. §§ 1.02 [REDACTED] and (4), authorized the Division to conduct a preliminary inquiry into the above-described misconduct of the Respondent. On February 3, 2025, the Division submitted its report of preliminary inquiry to the Commission. Subsequently, on February 13, 2025, the Commission authorized the initiation of disciplinary proceedings against the Respondent.

Conclusions of Law

9. 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; . . .

10. Pursuant to M.G.L. c. 6E, § 10(b)(iv), “[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 [...] was suspended or terminated by their appointing agency for disciplinary reasons, and any appeal of said suspension or termination is complete.”

11. 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.

12. “Unless otherwise provided by law, agencies may . . . make informal disposition of any adjudicatory proceeding by stipulation, agreed settlement, consent order or default.” M.G.L. c. 30A, § 10.

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:

13. The Respondent agrees to the suspension of his law enforcement officer certification in the Commonwealth of Massachusetts, pursuant to M.G.L. c. 6E §§ 3(a) and 10(b)(iv), for a period of ninety days, beginning on the date this agreement is approved by the Commission. This ninety-day period will be in addition to the suspension that the Respondent already served in relation to the December 2024 Settlement Agreement he entered into with the Town of Harwich.

14. During the ninety-day suspension period, 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.

15. The Respondent agrees that, if he should fail to abide by any of the terms and conditions of this agreement during his suspension, 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

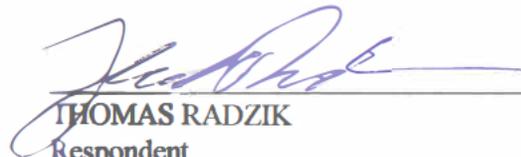
16. The Respondent acknowledges that, once this Agreement is executed, the Commission will issue an Order of Suspension adopting all of the factual findings and conclusions of law set forth in this Agreement.

17. 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.

18. The Respondent acknowledges that, once this Agreement and Order of Suspension issued by the Commission are executed, the documents 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.

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

03/14/2025
Date


THOMAS RADZIK
Respondent

3/20/2025
Date


Margaret R. Hinkle, Chair