COMMONWEALTH OF MASSACHUSETTS PEACE OFFICER STANDARDS AND TRAINING COMMISSION

| IN THE MATTER OF MICHAEL RICHARD |) | Case No. 2025-025 |
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| <u> </u> | SUSPENSION OR | <u>DER</u> |
| suspends the law enforcement certification | cation of Responde . The Commission | g Commission ("Commission") hereby nt Michael Richard, pursuant to M.G.L. n has concluded by a preponderance of the health, safety, or welfare of the |
| earlier. See M.G.L. c. 6E, § 10(e); 5 surrender, and the Respondent's emp without delay, any agency-issued creperformance of functions associated | The Respondent's I 55 CMR 1.08(3). To loying law enforce edentials and equipment with service as a larm, assigned cruiser. | aw enforcement agency, whichever is The Respondent is hereby directed to ment agency is directed to collect, ment that promote and support the w enforcement officer, including but not c, and use-of-force instruments, such as |
| | fect until issuance o | er of the [C]ommission issued pursuant f the final decision of the [C]ommission MR |
| By vote of the Commission on April | 17, 2025. | |
| | | margaret R. Hinkle |
| | | Hon. Margaret R. Hinkle (Ret.), Chair |

Notice of Right to a Suspension Hearing

You may request a hearing before:

- (1) The full Commission to revoke the suspension before the issuance of a final Commission decision. See M.G.L. c. 6E, § 9(a)(5).
 - Requests are not subject to a time limit for filing. See M.G.L. c. 6E; 555 CMR 1.00.
 - A suspension order shall continue in effect until issuance of the final decision of the full Commission or until revoked by the full Commission. See 555 CMR 1.08(4).
 - Appeals of the full Commission's decision are to the Superior Court. See M.G.L. c. 30A, § 14;
 555 CMR 1.10.

(2) The Single Commissioner to stay the suspension. <u>See M.G.L. c. 6E, § 9(d)</u>; 555 CMR 1.09(1).

- Absent a waiver, such a hearing would be held within 15 days of the effective date of the suspension.
- Requests must be filed no later than five days after the effective date of the suspension and may include a request for an extension of time or a waiver of the right to have the hearing heard by the Single Commissioner within 15 days. See 555 CMR 1.09(2) and (3).
- If the Single Commissioner determines by a preponderance of the evidence that the suspension is not warranted, that commissioner shall stay the suspension. See 555 CMR 1.09(6)(a).
- Appeals of the Single Commissioner's decision are to the Superior Court. <u>See M.G.L. c. 30A, § 14; 555 CMR 1.09(6)(d).</u>

If you wish to request a hearing, please email your request to <u>POSTCReview@mass.gov</u>, with a cc to <u>postcstandards@mass.gov</u>, and include in the subject line your case name and number and type of hearing (full Commission or Single Commissioner). In your request, also 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:

If this is an appeal to the Single Commissioner (stay of suspension):

- I invoke my right to a hearing within 15 days of the effective date of the suspension.
- I waive my right to a hearing within 15 days of the effective date of the suspension and consent to receiving a hearing after 15 days.

If this is an appeal to the full Commission (revocation of suspension):

• I would like to have a hearing before the full Commission at a date to be determined.

Please note: A request for a hearing is deemed filed on the date it is received by the Commission. After you have filed a timely request for a hearing, you will receive a notice from the Commission containing further information and instructions.