

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

IN THE MATTER OF
SEAN SAWICKI

)
)

Case No. 2025-041

FINAL DECISION

Pursuant to 555 CMR 1.10(1), a Hearing Officer was assigned to conduct an adjudicatory proceeding regarding this matter on behalf of the Massachusetts Peace Officer Standards and Training Commission (“Commission”).

Pursuant to M.G.L. c. 30A, § 11(7)-(8) and 555 CMR 1.10(4)(e)2., the Hearing Officer issued an Initial Decision and Order, and Sean Sawicki (“Respondent”) had thirty (30) days to provide the Commission with written objections. No objections were received.

After careful review and consideration, the Commission voted to affirm and adopt the Initial Decision of the Hearing Officer.

For the above reasons, the Motion for Default and Final Decision filed by the Division of Police Standards is hereby **granted**. See 555 CMR 1.10(4). The Respondent was afforded the opportunity for a full and fair hearing. See M.G.L. c. 30A, § 10 (providing that, “[i]n conducting adjudicatory proceedings,” “agencies shall afford all parties an opportunity for full and fair hearing,” and “[u]nless otherwise provided by any law, agencies may” “place on any party the responsibility of requesting a hearing if the agency notifies [the party] in writing of [the party’s] right to a hearing and of [the party’s] responsibility to request the hearing” and “make informal disposition of any adjudicatory proceeding by” “default”), § 13 (providing that, “[e]xcept as otherwise provided in this section, no agency shall revoke or refuse to renew any license unless it has first afforded the licensee an opportunity for hearing in conformity with [§§ 10, 11, and 12],” but “[t]his section shall not apply” “[w]here the revocation, suspension or refusal to renew is based solely upon failure of the licensee to file timely reports, schedules, or applications . . .”), incorporated by reference in M.G.L. c. 6E, § 10(f) and 555 CMR 1.10(4).

The Commission finds, by clear and convincing evidence, that the Respondent has a pattern of unprofessional police conduct that may escalate. See M.G.L. c. 6E, § 10(b)(iii). **Thus, the Respondent’s certification is hereby revoked.**

The Executive Director shall take the necessary steps to publish the Respondent’s name in the National Decertification Index. See M.G.L. c. 6E, §§ 10(g), 13(b).

This is the **final decision** of the Commission. M.G.L. c. 30A, § 11(8); 555 CMR 1.10(4)(e).

By vote of the Commission on February 19, 2026.

In accordance with M.G.L. c. 30A, § 14 and M.G.L. c. 6E, § 10(f), the Respondent may commence an appeal to the Superior Court within thirty (30) days to the extent allowed by law.

After initiating proceedings for judicial review in Superior Court, the Respondent, or the Respondent's attorney, is required to serve a copy of the summons and complaint upon the Boston office of the Attorney General of the Commonwealth, with a copy to the Commission, in the time and manner prescribed by Mass. R. Civ. P. 4(d).

Margaret R. Hinkle

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

Notice: Sean Sawicki, Respondent
Amy C. Parker, Esq., Commission Enforcement Counsel
Division of Police Standards
Shaun Martinez, Esq., Deputy Director, Division of Police Standards
Ashburnham Police Department, Law Enforcement Agency
Phillipston Police Department, Law Enforcement Agency
Collective Bargaining Unit

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

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Case No. 2025-041

INITIAL DECISION

I. Introduction

At issue in this matter is whether this proceeding brought by the Massachusetts Peace Officer Standards and Training Commission (“Commission”) should now terminate with a default decision in the Commission’s favor, pursuant to Massachusetts General Laws chapter 30A, § 10(2), 801 CMR 1.01(7)(a), and 555 CMR 1.10(4). Sean Sawicki (“Respondent”) did not answer, appear, or defend the allegations of misconduct against him in the Order to Show Cause (“OTSC”). Nor did he respond to mailings delivered to him by the Division of Police Standards (“Division”). For the reasons stated below, I recommend that the Commission grant the Division’s Motion for Default and Final Decision (“Motion”), adopt this Initial Decision as its Final Decision, and determine what discipline should be imposed against the Respondent.

II. Procedural History

1. The Division served the Respondent with an OTSC by United States Postal Service (“USPS”) Priority Mail on October 29, 2025, addressed to the Respondent’s last known home address. Attach 1; see Attach 2.* The record indicates that the OTSC was delivered on November 1, 2025. Attach. 2.

2. Additionally, on October 29, 2025, the Division served the same OTSC on the Respondent via his electronic mail address, known to the Division through past communication

* The Division determined the Respondent’s last known residence by conducting a CLEAR search provided by Thomson Reuters, which utilizes a database that collects information from various sources, including cell phone records, credit reporting agencies, motor vehicle registration information, and criminal history records, among other sources.

related to this matter, and the Respondent acknowledged receipt on the same date. Attach 5.

3. The OTSC contained allegations against the Respondent and notification of the obligation to file an answer or otherwise respond to the allegations within 21 days. Attach. 1. The OTSC stated that, if a responsive and timely answer was not filed, the Commission may act. Attach. 1. In particular, the Respondent was notified that if an answer to the allegations in the OTSC is not filed, the Commission may enter a Final Decision and Order that assumes the truth of the allegations in the OTSC and that the Commission may take action against the Respondent's certification, including granting, in full, the action contemplated in the OTSC. Attach. 1.

4. When the Division received no response to the OTSC, it served the Motion on the Respondent by USPS Priority Mail on December 8, 2025, to the same last known address. Attachs. 3 and 4. I take administrative notice that the OTSC was attached as an exhibit to the Motion.

5. By operation of law, the Commission may presume that the Respondent received both the OTSC and the Motion, as discussed below. The Respondent failed to respond to either the OTSC or the Motion.

III. Allegations Contained in the OTSC

1. On July 1, 2022, the Respondent was automatically certified as a law enforcement officer pursuant to St. 2020, c. 253, § 102, an Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth. The Respondent was recertified on July 1, 2024, pursuant to M.G.L. 6E, § 3(a)(3) and (4) and 555 CMR 9.01–9.12.

2. The Respondent was most recently employed as a law enforcement officer by the Ashburnham Police Department from November 24, 2024, to January 13, 2025. Previously, he was employed by the following law enforcement agencies for the respective time periods:

a. Phillipston Police Department;

i. Part-time: November 19, 2018 – November 6, 2019

ii. Full-time: November 6, 2019 – November 23, 2024

b. Templeton Police Department;

i. Part time: November 22, 2016 – April 9, 2018

ii. Full time: April 9, 2018 – November 1, 2019

c. Leverett Police Department;

i. Part-time: August 16, 2016 – May 30, 2017

ii. Full time: May 30, 2017 – March 29, 2018

d. Pelham Police Department;

i. At least some traffic detail police duties completed by Respondent in 2016.

e. Shutesbury Police Department;

i. April 2013 to May 2017, holding auxiliary, part-time, then full-time positions, with his full-time academy graduation occurring in 2016.

3. In March of 2018, the Respondent submitted a notice of resignation from the Leverett Police Department. After the Respondent submitted his notice of resignation, but before his employment ended, the Chief of the Leverett Police Department found that someone had downloaded sensitive materials from the Chief's email account without authorization onto a patrol room computer, where other unauthorized members of the department had access. The Chief concluded, based on review of email access logs and the Respondent's duty hours, that the

Respondent had accessed this email account multiple times over a period of several months and had been the individual who downloaded the sensitive materials. However, the Leverett Police Department elected not to initiate an internal affairs investigation, and allowed the Respondent to resign without further action.

4. Subsequent to his resignation from the Leverett Police Department, the Respondent submitted multiple applications to new law enforcement officer positions, without disclosing the fact that he had previously been employed by the Leverett Police Department or that, while so employed, he had been accused of the misconduct described in paragraph 3 above.

5. First, on or about June 15, 2024, and while employed by the Phillipston Police Department, the Respondent applied for the position of Chief of Police of that agency by submitting a resume and cover letter, which intentionally omitted his past employment with the Leverett Police Department between 2016 and 2018. On July 18, 2024, an independent investigator assigned to conduct a background check in connection with the Respondent's application, uncovered the fact that the Respondent had been employed by Leverett Police Department and had been accused of misconduct while employed there. The investigator informed the Town of Phillipston of their findings and noted that the Respondent had omitted this employment from his resume submitted in connection with his application for the Chief position. The investigator recommended that the Town report this matter to the Commission, but the Town failed to do so. The Respondent was not selected for the Police Chief position, and he resigned on November 23, 2024.

6. After the Respondent was not selected in September 2024 for the Chief position in Phillipston, he applied for a law enforcement officer position with the Ashburnham Police Department. In connection with that application, the Respondent again intentionally concealed

his past employment with the Leverett Police Department between 2016 and 2018, by submitting the same resume he had previously submitted in his application to the Phillipston Chief position.

7. To conceal what would have been a gap in his resume for his employment at Leverett Police Department, the Respondent falsely stated on the resume he submitted to both Phillipston and Ashburnham that he had been employed by the Templeton Police Department as a School Resource Officer between November 2016 and September 2018. In fact, the Respondent was only employed by the Templeton Police Department as a part-time officer from November 2016 until April 2018, during a time he was a full-time employee at the Leverett Police Department. The Respondent did not begin working full-time for the Templeton Police Department until approximately April 2018, after he left Leverett, and when he was hired to replace their previous School Resource Officer. Additionally, the Respondent misrepresented that he was employed as a Patrol Officer at the Shutesbury Police Department between August 2013 and October 2016. In reality, he began as an auxiliary officer in August 2013, he graduated from the full-time police academy in 2016, and he worked full-time in Shutesbury until May 2017, at which point he left to work full-time in Leverett Police Department. The misrepresentations on the Respondent's applications demonstrate that the Respondent repeatedly omitted the distinction between part-time and full-time employment in his resume and used his overlapping employment in more than one town at a time in order to conceal his part-time and full-time employment at Leverett Police Department, and, thus, the negative circumstances under which he resigned from that agency. Throughout the application processes described in paragraphs 5 and 6, the Respondent failed to disclose that he had been previously employed by the Leverett Police Department and failed to correct any of the inaccurate employment

information that he had submitted.

8. On or about January 8, 2025, the Ashburnham Police Department Chief of Police learned, for the first time, that the Respondent had previously been employed by the Leverett Police Department, and that the Respondent had been accused of the misconduct described in paragraph 3 above. Thereafter, on January 10, 2025, the Ashburnham Police Department Chief initiated an internal affairs investigation into charges that the Respondent had violated the following agency policies: Truthfulness; Professional Conduct and Responsibilities; Falsifying Records; and Conduct Unbecoming of an Officer. On January 13, 2025, the Respondent resigned during the pendency of that investigation. Thereafter, the Ashburnham Police Department sustained the charges, finding that the Respondent was untruthful and intentional in omitting his past employment with the Leverett Police Department, in an attempt to conceal allegations of misconduct against him.

9. On February 13, 2025, the Commission, pursuant to M.G.L. c. 6E, § 8(c)(2) and 555 CMR 1.02(2) and (4), authorized the Division to conduct a preliminary inquiry into the allegations of misconduct sustained by Ashburnham Police Department. Subsequently, on June 26, 2025, the Commission voted to initiate disciplinary proceedings against the Respondent.

IV. Attachments

In ruling on this matter, I have considered the following attachments:

Attachment 1: OTSC with a certificate of service, dated October 29, 2025.

Attachment 2: OTSC USPS Priority Mail tracking, indicating delivery on November 1, 2025.

Attachment 3: Motion for Default and Final Decision, dated December 8, 2025.

Attachment 4: Motion for Default USPS Priority Mail tracking, indicating delivery on

May 5, 2025.

Attachment 5: OTSC emailed to Respondent, dated October 29, 2025.

I take administrative notice of all papers filed in this case, as well as chapter 6E and Commission regulations. See M.G.L. c. 30A, § 11(5).

V. Legal Basis for Commission Disciplinary Action

1. Pursuant to M.G.L. c. 6E, § 3(a):

The commission 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;

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

3. Pursuant to M.G.L. c. 6E, § 10(g), the Commission shall publish any revocation order and findings and shall provide all revocation information to the National Decertification Index (“NDI”).

4. 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.

VI. Notice

The Respondent was notified via email and at his last known address by the OTSC that if he did not file an answer or otherwise respond to the allegations in the OTSC in a responsive and timely manner, the Commission could enter a Final Decision and Order that assumes the truth of the allegations in the OTSC. In addition, the notice informed him that the Commission may take

particular action against his certification, including granting in full the relief contemplated in the OTSC. These advisories were sufficient to place him on notice of the consequences of any default. See Lawless v. Bd. of Registration in Pharmacy, 466 Mass. 1010, 1010 n.1, 1011 (2013) (concluding that pharmacist had “ample notice,” where he was informed that “failure to appear at any hearing would result in entry of default and that, in the event of default, the board could enter a final decision accepting as true the allegations contained in the show cause order”); see also University Hosp., Inc. v. Massachusetts Comm’n Against Discrimination, 396 Mass. 533, 539 (1986) (holding that default provision did not violate due process, as it “afford[ed] the respondent reasonable procedural safeguards for notice and an opportunity to be heard”). Despite being afforded the opportunity to do so, the Respondent has failed to file an answer, request an adjudicatory hearing, or otherwise respond.

On December 8, 2025, the Division moved for a default judgment and final decision and served the Motion, with the OTSC and OTSC tracking information attached as exhibits, by USPS Priority Mail with tracking information to the Respondent’s last known addresses, as indicated by a CLEAR search conducted by the Division. Attach. 3.

The Commission provided sufficient notice by delivering the OTSC and the Motion using USPS Priority Mail. Under Massachusetts case law, there is a presumption that the addressee receives properly deposited mail. See Espinal’s Case, 98 Mass. App. Ct. 152, 152-53, 156 (2020) (citing Eveland v. Lawson, 240 Mass. 99, 103 (1921) (“The depositing of a letter in the post office, properly addressed, postage prepaid, to a person at his place of business or residence, is prima facie evidence that it was received in the ordinary course of mails.”)). Further, nothing in chapter 6E required the Division to take any additional steps. I may presume that the Respondent received the Motion that was sent through USPS Priority Mail at his last known

address.

VII. Discussion

Pursuant to 801 CMR 1.01(7)(a), a party may request through a motion that a Hearing Officer “issue any order or take any action not inconsistent with [the] law or 801 CMR 1.00.” One such action is recommending the entry of a final judgment of default where a respondent has failed to appear. Under M.G.L. c. 30A, § 10(2), an agency is specifically authorized to “make informal disposition of any adjudicatory proceeding by . . . default.” Lawless, 466 Mass. at 1011-12 (affirming that agency “ha[d] authority, in an appropriate circumstance, to dispose of an adjudicatory proceeding by default,” citing M.G.L. c. 30A, § 10, and concluding that agency’s decision to do so was not shown to be improper, where the party failed to appear after the first day of hearing). That step is warranted here. The Commission has afforded the Respondent an opportunity for a full and fair hearing as required by M.G.L. c. 30A, §§ 10, 11(1) and 801 CMR 1.01(4)(c).

In University Hosp., 396 Mass. at 538-39, the Supreme Judicial Court rejected the notion that due process standards were violated by an agency rule that provided sanctions for a party’s default upon receiving interrogatories. The court concluded that the provisions of the agency rule “afford . . . reasonable procedural safeguards for notice and an opportunity to be heard,” noting that a respondent is given clear notice of the consequences, and has opportunities to object, to obtain an extension of time, to petition for a default to be vacated, and to seek judicial review of the entire proceedings. Id. at 539. In the case before the Commission, the OTSC and the Motion (both sent by USPS with tracking) provided the Respondent with notice of the consequences of a failure to appear or defend in this matter, as well as an opportunity to object. Attachs. 1 and 3. The Respondent could have sought more time to respond under 801 CMR

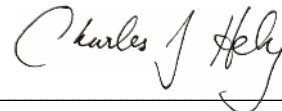
1.01(4)(e), (7)(a), and (7)(d). Therefore, the entry of a default judgment by the Commission is both legal and proper.

By reason of the Respondent's default, and upon consideration of the Division's Motion, I recommend that the Commission grant the Motion. See Lawless, 466 Mass. at 1010-12 & n.1; University Hosp., 396 Mass. at 538-39; Productora e Importadora de Papel, S.A. de C.V. v. Fleming, 376 Mass. 826, 833-35 (1978) (recognizing that a default establishes the truth of factual allegations). In addition, I recommend that the Commission find that the allegations in the OTSC and the violations of the statutes and regulations stated therein are deemed admitted and established. See Lawless, 466 Mass. at 1010-12 & n.1; University Hosp., 396 Mass. at 534, 538-39; Productora e Importadora de Papel, 376 Mass. at 833-35.

VIII. Conclusion

The Division's Motion should be granted and the Respondent's law enforcement certification should be revoked for the reasons stated above. I recommend that the Commission find the allegations to be supported, make this Initial Decision final, and proceed to determine what discipline is appropriate. In accordance with the provisions of 555 CMR 1.10(4)(e)2.b., the Respondent has 30 days to file written objections to the Initial Decision with the Commission.

SO ORDERED.



Hon. Charles J. Hely (Ret.)
Hearing Officer

Date: January 5, 2026

Notice:

Sean Sawicki, Respondent

Amy C. Parker, Esq., Commission Enforcement Counsel

Division of Police Standards

Shaun Martinez, Esq., Deputy Director, Division of Police Standards

Ashburnham Police Department, Law Enforcement Agency

Phillipston Police Department, Law Enforcement Agency

Collective Bargaining Unit