

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

IN THE MATTER OF
JASON TROUT

)
)

Case No. 2025-063

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 Jason Trout (“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: Jason Trout, Respondent
Amy C. Parker, Esq., Commission Enforcement Counsel
Division of Police Standards
Shaun Martinez, Esq., Deputy Director, Division of Police Standards
Massachusetts State Police, Law Enforcement Agency
Collective Bargaining Unit

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

IN THE MATTER OF
JASON TROUT

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Case No. 2025-063

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). Jason Trout (“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 November 13, 2025, addressed to the Respondent’s most recent home address. Attach 1; see Attach 2.* The record indicates that the OTSC was delivered on November 17, 2025. Attach. 2.
2. The OTSC contained allegations against the Respondent and notification of the

* On November 5, 2025, the Division sent the OTSC to the last known mailing address of the Respondent. Upon learning of a more recent address, the Division sent a second copy to the new address on November 13, 2025. The Division determined the Respondent’s most recent residence by conducting a CLEAR search provided by Thomson Reuters.

Thomson Reuters utilizes a database that collects information from various sources, including cellphone records, credit reporting agencies, motor vehicle registration data, criminal history records, and other sources. Thompson Reuters also examined unrelated court filings of the Respondent in which he listed a current address.

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 were 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.

3. When the Division received no response to the OTSC, it served the Motion on the Respondent by USPS Priority Mail on December 18, 2025, to the same last known address.

Attach. 3. The record indicates that the OTSC was delivered on December 22, 2025. Attach 4. I take administrative notice that the OTSC was attached as an exhibit to the Motion.

4. 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. The Respondent was employed as a law enforcement officer by the Massachusetts State Police ("MSP") from approximately October 17, 2011, until December 2, 2024.

2. On July 1, 2021, 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.

3. From August 2022 to March 2023, the Respondent led an inter-state and inter-agency drug trafficking investigation, as a result of which a woman, among other individuals, was

charged with trafficking fentanyl and cocaine in Massachusetts. In May of 2023, after the woman was arrested in a neighboring state, she was arraigned in Massachusetts on these charges and was later released from custody while the case was pending. Soon thereafter, the woman engaged in proffer meetings with the prosecutor assigned to prosecute the case against one of the woman's co-defendants. The Respondent attended these meetings.

4. Over the next several months, the Respondent developed a personal relationship with the woman, and they began living together around September of 2023. The woman was still the defendant and the potential cooperating witness in a pending criminal case.

5. After the MSP learned of the potential relationship between the Respondent and the woman, the MSP initiated an internal affairs investigation. The Respondent was ordered to turn in his equipment, including his MSP-issued cell phone. However, the Respondent reported that he was unable to locate his department-issued cell phone and never turned it in; thereby preventing the MSP from obtaining any potential evidence of misconduct stored on the phone.

6. During an internal affairs interview on February 7, 2024, the Respondent claimed that he provided the woman a place to live to protect her because she had been receiving threats and the prosecuting attorney's office was refusing to assist her. However, he failed to document these claimed threats contemporaneously, and he failed to disclose to anyone at MSP or the prosecuting attorney's office that he had provided the woman a place to live, let alone that the place was with him.

7. On June 12, 2024, the MSP sustained rules violations against the Respondent for his inappropriate relationship with a criminal defendant, his mishandling of an informant (the same criminal defendant) involved in the proffer process, and his inability to account for his department-issued cell phone. On December 2, 2024, the Respondent resigned in lieu of

discipline.

8. On January 16, 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 Respondent's conduct. Subsequently, on August 14, 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 November 13, 2025.

Attachment 2: OTSC USPS Priority Mail tracking, indicating delivery on November 17, 2025.

Attachment 3: Motion for Default and Final Decision, dated December 18, 2025.

Attachment 4: Motion for Default USPS Priority Mail tracking, indicating delivery on December 22, 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(d)(v), “[t]he commission may, after a hearing, order retraining for any officer if the commission finds substantial evidence that the officer . . . has a pattern of unprofessional police conduct.”

4. 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”).

5. 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 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 18, 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. Attachs. 3 and 4.

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.")). In addition, 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 was given clear notice of the consequences, and had 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.

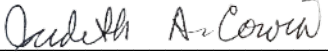
By reason of the Respondent's default, and upon consideration of the Division's Motion, I recommend that the Commission grant the Motion. See Lawless, 466 Mass. at 1010-12 & n.1; University Hosp., 396 Mass. at 538-39; Productora e Importadora de Papel, S.A. de C.V. v. Fleming, 376 Mass. 826, 833-35 (1978) (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, supra; University Hosp., supra, at 534, 538-539; Productora e

Importadora de Papel, supra.

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 the appropriate discipline. 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. Judith A. Cowin (Ret.)
Hearing Officer

Date: January 9, 2026

Notice: Jason Trout, Respondent
Amy C. Parker, Esq., Commission Enforcement Counsel
Division of Police Standards
Shaun Martinez, Esq., Deputy Director, Division of Police Standards
Massachusetts State Police, Law Enforcement Agency
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