COMMONWEALTH OF MASSACHUSETTS PEACE OFFICER STANDARDS AND TRAINING COMMISSION

BRIAN (PENSION OF) GLADU) D 0368-9914))	Case No. SU-2024-013
	SUSPENSIO	ON ORDER
law enforcer and Respondent	nent certification of the Respondent,	has received sufficient evidence that the , thus requiring the
Respondent of M.G.L. c. 6E agency is dir promote and officer, include	or the head of the Respondent's law E, § 10(e). The Respondent is hereby rected to collect, without delay, any a support the performance of function	intely upon receipt of this Order by either the enforcement agency, whichever is earlier. <u>See</u> directed to surrender, and the Respondent's agency-issued credentials and equipment that is associated with service as a law enforcement, badge, firearm, assigned cruiser, and use-of-
to [Section 9		ion order of the [C]ommission issued pursuant nance of the final decision of the [C]ommission 555 CMR 1.08(4).
		ON BEHALF OF THE COMMISSION:
		/s/ Enrique A. Zuniga Enrique A. Zuniga Executive Director
		Dated: April 5, 2024
Notice to:	Brian Gladu Division of Police Certification Massachusetts State Police Collective Bargaining Unit	

¹ <u>See M.G.L. c. 6E, § 3(a); 501 CMR 15.05(1), (2)(f)-(g).</u>

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. <u>See M.G.L. c. 30A</u>, § 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.