

COMMONWEALTH OF MASSACHUSETTS
PEACE OFFICER STANDARDS AND TRAINING COMMISSION

_____))
IN RE: SUSPENSION OF))
Officer Nivaldo Mendes)) Case No. 2025-002
(MPTC ID 3157-4403)))
_____)

SUSPENSION ORDER

The Peace Officer Standards and Training Commission (“Commission”) hereby suspends the law enforcement certification of the Respondent, Officer Nivaldo Mendes, [REDACTED]. The Commission has received sufficient evidence that the Respondent [REDACTED], thus requiring the immediate suspension of the Respondent’s certification. [REDACTED]

The Respondent’s suspension is effective immediately upon receipt of this Order by either the Respondent or the head of the Respondent’s law enforcement agency, whichever is earlier. See M.G.L. c. 6E, § 10(e). The Respondent is hereby directed to surrender, and the Respondent’s agency is directed to collect, without delay, any agency-issued credentials and equipment that promote and support the performance of functions associated with service as a law enforcement officer, including but not limited to, any uniform, badge, firearm, assigned cruiser, and use-of-force instruments, such as tasers.¹

Pursuant to M.G.L. c. 6E, § 9(a)(5), “[a] suspension order of the [C]ommission issued pursuant to [Section 9(a)] shall continue in effect until issuance of the final decision of the [C]ommission or until revoked by the [C]ommission.” See also 555 CMR 1.08(4).

ON BEHALF OF THE COMMISSION:

/s/ Enrique A. Zuniga
Enrique A. Zuniga
Executive Director

Dated: January 6, 2025

Notice to: Nivaldo Mendes
Division of Police Certification
New Bedford Police Department
Collective Bargaining Unit
Bristol District Attorney’s Office

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. See M.G.L. c. 6E, § 9(d); 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. See M.G.L. c. 30A, § 14; 555 CMR 1.09(6)(d).

If you wish to request a hearing, please email your request to POSTCReview@mass.gov, with a cc to poststandards@mass.gov, 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.