

**COMMONWEALTH OF MASSACHUSETTS  
CIVIL SERVICE COMMISSION**

One Ashburton Place: Room 503  
Boston, MA 02108  
(617) 727-2293

**INVESTIGATION RE:**

**JUNE 2011  
MAKE-UP  
EXAMINATIONS  
ADMINISTERED BY  
THE STATE'S  
HUMAN RESOURCES  
DIVISION**

**Case No.:** I-12-291

**ORDER REGARDING INITIATION OF INVESTIGATION  
PURSUANT TO G.L. c. 31, § 2(a)  
AND  
NOTICE OF PRE-HEARING CONFERENCE**

On April 21, 2011, the Civil Service Commission (Commission) issued a decision in regard to:

- David Dickinson & William Hallisey v. Human Resources Division, CSC Case Nos. E-10-274 & E-10-278.

In Dickinson and Hallisey, the Commission concluded that the state's Human Resources Division (HRD) had erred by denying Mr. Dickinson and Mr. Hallisey the right to sit for promotional examinations administered in October 2010 and ordered HRD to permit Mr. Dickinson to sit for a make-up police lieutenant promotional examination and for Mr. Hallisey to sit for a make-up police lieutenant and captain examination.

In June 2011, Mr. Dickinson and Mr. Hallisey sat for the make-up examinations referenced above.

On February 24, 2012, Brockton Police Sergeant Richard Linehan filed an appeal with the Commission (CSC Case No. I-12-77), asking the Commission to investigate matters related to these make-up examinations.

On April 17, 2012, a pre-hearing conference was held at the offices of the Commission, which was attended by Mr. Linehan, his counsel, counsel for HRD and counsel for the City of Brockton.

As part of his request for investigation, Mr. Linehan alleged that Mr. Dickinson and Mr. Hallisey were given an unfair advantage because: a) a large number of the questions from the October 2010 examination were repeated, verbatim, on the June 2011 make-up examination; and b) Mr. Linehan and Mr. Hallisey became aware of the questions and correct answers

through various means including blogs maintained by private vendors that prepare candidates for civil service examinations.

Mr. Dickinson and Mr. Hallisey took the make-up examination(s), received a higher score than Mr. Linehan, and were subsequently promoted.

As part of the pre-hearing conference, I issued the following preliminary orders referenced below:

1. The state's Human Resources Division was joined as a Respondent to CSC Case No. I-12-77.
2. David Dickinson and William Hallisey were joined as Respondents to CSC Case No. I-12-77.
3. The parties were responsible for ensuring that all communication, including correspondence already submitted to the Commission, was copied to all other parties.
4. HRD had ten (10) days to determine, based on the information available at this time, whether it will conduct its own investigation of the issues raised regarding the June 2011 make-up examination.

On May 2, 2012, HRD filed a response with the Commission stating in relevant part that:

“After reviewing the allegations raised in the Appellant’s complaint, as further explained by the Appellant during the pre-hearing, the documents produced by the Appellant during the pre-hearing, as well as information in the possession of the HRD Civil Service Unit, HRD does not have sufficient evidence to proceed with a formal internal investigation at this time.

However, should the Commission choose to investigate this issue further, HRD will cooperate with the investigation to the fullest extent possible.”

On May 18, 2012, Sergeant Michael Dennehy filed an appeal with the Commission (CSC Case No. G2-12-173), raising the same concerns first brought the Commission’s attention by Mr. Linehan. Mr. Dennehy’s name initially appeared *first* (Linehan appeared second) on the promotional eligible list for police lieutenant in Brockton. After the make-up examination was administered, Mr. Hallisey’s name appeared first, Mr. Dickinson’s name appeared second, Mr. Dennehy’s name appeared *third* and Mr. Linehan’s name appeared fourth. As referenced above, the City then promoted Mr. Hallisey and Mr. Dickinson to the position of lieutenant.

Based on the documents submitted and statements made as part of the two-referenced appeals, there *is* sufficient information to justify the initiation of an investigation regarding the make-up examinations in June 2011.

For this reason, the Commission, pursuant to G.L. c. 31, § 2(a), hereby initiates an investigation regarding the make-up examinations administered by HRD in June 2011. The investigation will be conducted under Docket No. I-12-291. ***Since all of the issues raised in the appeals filed by Mr. Linehan and Mr. Dennehy will be addressed as part of this***

*investigation, their appeals under Docket Nos. I-12-77 and G2-12-173 are dismissed / closed.*

A pre-hearing conference will be held on December 11, 2012 at 1:00 P.M. at the offices of the Commission at One Ashburton Place: Room 503, Boston, MA 02108 at which time the Commission, after hearing from relevant individuals and agencies, will further define the scope of the investigation and identify the documents and other information that will be required as part of this investigation.

The Commission expects that the following individuals or agencies or their representatives will be present at the pre-hearing:

- Richard Linehan;
- Michael Dennehy
- David Dickinson
- William Hallisey
- Human Resources Division
- Brockton Police Department

**A COPY OF THIS ORDER MUST BE POSTED AT THE HEADQUARTERS OF THE BROCKTON POLICE DEPARTMENT.**

Civil Service Commission

Christopher C. Bowman  
Chairman  
November 1, 2012

Notice to:  
Michael Dennehy  
Judith Cohen, Esq. (for Richard Linehan)  
Andrew Levrault, Esq. (for HRD)  
Elizabeth Whitcher, Esq. (for HRD)  
Katherine Feodoroff, Esq. (for City of Brockton)  
Caitlin E. Leach, Esq. (for City of Brockton)  
David Dickinson  
William Hallisey