

**COMMONWEALTH OF MASSACHUSETTS**  
**CIVIL SERVICE COMMISSION**  
100 Cambridge Street – Suite 200  
Boston, MA 02114  
617-979-1900

**ARMANI MARSMAN,**  
*Appellant,*

v.

**BOSTON POLICE DEPARTMENT,**  
*Respondent*

Docket Numbers: G1-23-156, G1-24-082

Appearance for Appellant: James Gilden, Esq.  
173 N Main St  
Sharon, MA 02067

Appearance for Respondent: Joseph McClellan, Esq.  
Boston Police Department  
Office of the Legal Advisor  
One Schroeder Plaza  
Boston, MA 02120

Commissioner: Angela C. McConney

**SUMMARY OF DECISION ON APPELLANT’S MOTION FOR RECONSIDERATION**

As there was no error or significant factor overlooked by the Commission in affirming the decision of the Boston Police Department to bypass a candidate for appointment to police officer, the Commission denied the candidate’s motion for reconsideration.

**DECISION ON APPELLANT’S MOTION FOR RECONSIDERATION**

Armani Marsman, Appellant, filed a January 8, 2025 Motion for Reconsideration of the December 19, 2024 decision (Dockets G1-23-156, G1-24-082) upholding his bypass.<sup>1</sup>

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<sup>1</sup> On January 7, 2025, Mr. Marsman’s counsel of record filed a notice of withdrawal.

With his motion for reconsideration, Mr. Marsman submitted the following disciplinary records from the Mass Bay Transportation Authority (MBTA):

Exhibit 1: An interview slip referencing a November 28, 2018 discipline, dated 2/12/19;  
A discipline slip for a three-day administrative suspension, dated 2/13/19;  
A discipline slip rescinding the February 13, 2019 three-day administrative suspension, dated 2/25/2019;  
Interview slip with the notation that Mr. Marsman refused to sign; undated.

Exhibit 2: Discipline slip and interview slip for a written warning, dated 7/18/2018.

Exhibit 3: Discipline slip and interview slip for a written warning, dated 10/14/2016;  
Discipline slip and interview slip for a written warning, dated 9/29/2014.

On January 9, 2025, the Boston Police Department filed an opposition to the motion for reconsideration. The Department argued that Mr. Marsman had misstated several facts established by the administrative record. The Department noted that (1) the tow company operator had not recanted and testified that he had paid the Appellant under the table; (2) there was no misunderstanding about what constituted the MBTA discipline – the disciplinary record showed Mr. Marsman’s lack of fitness for the position of police officer.

Before the Commission could issue a ruling on the January 7, 2025 motion for reconsideration, Mr. Marsman was bypassed for the fifth time. The Commission docketed that appeal as G1-25-041.

In response to a February 13, 2025 email from Department counsel that there was nothing further to adjudicate on docket number G1-25-041 due to the Commission’s December 19, 2024 decision, Mr. Marsman asserted the following in a February 16, 2025 email:

1. **New Evidence:** The request for MBTA records was not made available to me due to pending legal matters. These records were only released to me following the MCAD and EEOC investigations. The Boston Police Department was fully aware of my attempt to obtain these records, and this new evidence could significantly impact the case.

2. **Witness Recantation:** During the full hearing, the witness called by the Boston Police Department recanted his original statement, which had been provided to the Boston Police Department. Attorney McClellan had previously directed Boston Police Detective William Kelley to contact the former owner of Towing Company X concerning my testimony [before] Commissioner Paul Stein. In his original statement, the witness denied my alibi for the date I missed my physical, which led the Boston Police Department to question my truthfulness. This recantation calls into question the validity of the previous claims made against me.

Furthermore, I request that the motion not be dismissed based on the claim that the Boston Police Department received a 54-page disciplinary record. Despite this, no physical documents were presented during the proceedings for refutation, nor were they made available for my attorney's review. The failure to provide these documents misrepresented their contents, which may have been in my favor. I urge you to consider these points in the interest of fairness and to ensure that all relevant evidence is fully reviewed before any final decisions are made.

Mr. Marsman misstates the facts. Firstly, the MBTA records are not new evidence. In any event, the Department and the MBTA are in agreement that discipline occurred demonstrating Mr. Marsman's insubordination issues. Mr. Marsman has not submitted proof sufficient to negate this summary of the disciplinary evidence. Secondly, during the evidentiary hearing, the tow company owner did not recant. If I were to view Mr. Marsman's assertions in the most positive light, still I would have to agree with the Department that "it strains credulity and basic reason to suggest that the Appellant would work multiple overnight shifts just for the fun of it."

Further, the Motion for Reconsideration failed to identify a clerical or mechanical error in the decision or a significant factor the Commission or the presiding officer may have overlooked in deciding the case.

The Motion for Reconsideration is hereby *denied*.

Civil Service Commission

/s/ Angela C. McConney

Angela C. McConney  
Commissioner

By vote of the Civil Service Commission (Bowman, Chair; Dooley, Markey, McConney and Stein, Commissioners) on March 6, 2025.

Notice to:

James Gilden, Esq. (for Appellant)

Joseph McClellan, Esq. (for Respondent)