

**COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Raymond Samms,  
Petitioner,

Docket No.: CR-25-0192

v.

State Board of Retirement,  
Respondent.

**Appearances:**

For Petitioner: Raymond Samms (pro se)  
For Respondent: Jacqueline J. Sullivan, Esq.

**Administrative Magistrate:**

Karen T. Guthrie

**SUMMARY OF DECISION**

Petitioner who was a campus police officer at Bunker Hill Community College is not entitled to Group 4 classification because his position is not listed under Group 4, and campus police officers are not “members of police . . . departments” under M.G.L. c. 32 § 3(2)g.

**DECISION**

Petitioner, Raymond Samms, timely appealed the decision of the State Board of Retirement (“Board”) denying his request for Group 4 classification for his position as Campus Police Officer at Bunker Hill Community College.

I conducted an in-person evidentiary hearing on March 2, 2026 at the Division of Administrative Law Appeals in Malden, MA. I admitted Respondent’s Exhibits 1 and 2 and Petitioner’s Exhibit 1 into evidence. Mr. Samms was the only testifying witness. The parties submitted closing memoranda on April 15, 2026 at which time the record closed.

**Findings of Fact**

Based on the evidence presented by the parties, I make the following findings of fact:

1. Petitioner, Raymond Samms, worked as a Campus Police Officer at Bunker Hill Community College from 2002 to 2024. (Respondent Ex. 1).
2. Bunker Hill Community College is comprised of a campus in Charlestown, MA and another campus in Chelsea, MA. (Testimony).
3. Mr. Samms held the following positions, which served both campuses: Campus Police Officer I – 10/1/02-5/25/10, Campus Police Officer II – 5/26/10-6/16/24, and Campus Police Officer III – 6/17/24-11/8/24. (Respondent Ex. 1; testimony).
4. Job duties, attached to Mr. Samms' Group Classification Application, indicate that Campus Police Officers "patrol campus buildings and adjacent areas; investigate crimes or other incidents; restrain or arrest suspects when necessary; provide assistance to courts or grand juries of prosecution of cases; and perform related work as required. The basic purpose of this work is to ensure and maintain a secure campus environment." (Respondent Ex. 1).
5. Campus Police Officers also "work under exposure to injury resulting from dangerous weapons, physical and verbal abuse and adverse weather conditions; may carry firearms; may operate motor vehicles at high speed for pursuit or emergency response purposes; work with people under physical and/or emotional stress; work alone in isolated or high-crime areas; walk and stand for prolonged periods of time; lift and carry heavy objects or people . . ." (Respondent Ex. 1).
6. Mr. Samms was supervised by the chief of police at Bunker Hill Community College, Robert Barrows, and the deputy chief, Matthew Shedden. (Testimony).

7. In the last year of his employment, Mr. Samms worked forty hours per week and he spent the entire time supervising five employees. (Testimony).
8. Mr. Samms did not work any police “details” (additional outside assignments “relevant to the campus”) in the last year of his employment because he was a supervisor. (Testimony).
9. The last “detail” he worked was sometime before his last year of employment, and this detail occurred on campus. (Testimony).
10. Mr. Samms did not know of the payment or reimbursement arrangements for the details. (Testimony).
11. He also was a special state police officer with “police powers” that permitted him to assist victims if there was an incident, such as a motor vehicle accident, that occurred in between the two Bunker Hill Community College campuses. (Testimony).
12. Special state police officers also sometimes “backed up” the state police if there was a need for police assistance. (Testimony).
13. Mr. Samms held the rank of sergeant. (Testimony).
14. Under his leadership as a sergeant, his officers sometimes “had to go and pull over and chase people down that went off campus.” (Testimony).
15. Mr. Samms had been issued warrant cards, the last of which expired on December 10, 2022. (Testimony).
16. He did not know what year he had last been certified to use his firearm. (Testimony).
17. Mr. Samms never graduated from the Massachusetts Police Academy. (Testimony).

18. Mr. Samms submitted a Group Classification Application dated February 10, 2025 in which he sought to classify his position in Group 4. He referred to his job title as “Police Sergeant.” (Respondent Ex. 1).
19. On February 20, 2025, the Board voted to deny Mr. Samms’ request and so notified him by letter dated February 21, 2025. (Respondent Ex. 2).
20. Mr. Samms timely appealed the Board’s decision.

### **Analysis**

The public employee retirement statute provides a system of classification of employees for retirement purposes and divides them into four groups. M.G.L. c.32, § 3(2)(g). Group 1, in which Mr. Samms is presently classified, includes “[o]fficials and general employees including clerical, administrative and technical workers, laborers, mechanics and all others not otherwise classified.” *Id.* Group 4 includes “members of police and fire departments not classified in Group 1” as well as other personnel specifically listed by name. *Id.* The position of Campus Police Officer is not specifically listed by name; therefore, Mr. Samms argues that this position should be considered as within the Group 4 category of “members of police and fire departments not classified in Group 1.” *Id.*

The test for meeting Group 4 criteria with jobs involving police work is difficult to satisfy. *Ward v. State Bd. of Ret.*, CR-01-1092 (Div. of Admin. Law App., Jan. 24, 2003). For example, Group 4 classification was denied to the Director of Public Safety of Bunker Community College, whose job duties entailed performance of police duties including arresting suspects and conducting investigations, in part because he was not a member of a police department. See *Juliano v. State Bd. of Ret.*, CR-01-1085 (Div. of Admin. Law App., Nov. 7, 2002).

Performing police functions is “necessary but insufficient to establish eligibility for Group 4.” *Patton v. Falmouth Ret. Bd.*, CR-07-597, at \*7 (Div. of Admin. Law App., Nov. 13, 2009). In *Patton*, the Magistrate denied Group 4 classification to Town of Falmouth Natural Resources Officers, whose badges read “Falmouth Police,” who were authorized to carry a weapon, and who worked police details, but *who were not members of a municipal police department*. The Magistrate explained that

[t]he legislature anticipated that individuals would hold jobs that serve some police functions, but limited eligibility to Group 4 by requiring that the police function be served on behalf of a “police department.” . . . Failure to be employed by such a department will result in lower status classification. *Id.*

Therefore, campus police officers consistently have been denied Group 4 classification on this basis. *See Larivee v. State Bd. of Ret.*, CR-18-0649 (Div. of Admin. Law App., Sept. 16, 2022)(Salem State University Campus Police Officer who held the rank of sergeant, was a Special Police Officer, and backed up the Salem Police Department three to four times per month was ineligible for Group 4 status); *See Agneta v. State Bd. of Ret.*, CR-18-0388 (Div. of Admin. Law App., June 5, 2020)(Salem State University Campus Police Officer who carried a firearm and graduated from the Massachusetts State Police Academy as a Special State Police Officer was ineligible for Group 4 classification); *See Laukartis v. State Bd. of Ret.*, CR-01-682 (Div. of Admin. Law App., Apr. 12, 2002)(Campus Police Officer at Soldiers’ Home in Chelsea who exercised police powers, worked alongside Chelsea Police Officers, and who faced potentially life threatening situations was ineligible for Group 4 classification).

Here, as a Campus Police Officer, Mr. Samms did perform police functions. I found him to be a credible witness, and it is clear he provided important and valuable work as a Campus

Police Officer for Bunker Hill Community College.<sup>1</sup> Nonetheless, Mr. Samms has not met his burden of proof that he is eligible for Group 4 classification. Because the Campus Police Officer position is not listed in M.G.L. c. 32, § 3(2)(g), the law requires him to show he was a member of a municipal police or fire department. He was not. Therefore, under the present law he is not entitled to Group 4 classification.

### **Conclusion and Order**

For the foregoing reasons, the decision of the Board is hereby AFFIRMED.

SO ORDERED.

Dated: May 8, 2026

/s/ Karen T. Guthrie

Karen T. Guthrie

Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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<sup>1</sup>Mr. Samms stated in his closing memorandum that he had conflicts with Deputy Chief Shedden. No evidence was introduced at the hearing that this impacted the accuracy of the Group 4 Application signed by both Deputy Chief Shedden and Mr. Samms.