

**COMMONWEALTH OF MASSACHUSETTS
CIVIL SERVICE COMMISSION**

SUFFOLK, SS

LINDA HILL,
Appellant

v.

Docket No. D-00-2903¹

BOSTON POLICE DEPARTMENT,
Respondent

Appellant's Attorney:

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Respondent's Attorney:

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Commissioner:

John J. Guerin, Jr.

DECISION

Pursuant to G.L. c. 31, § 43, the Appellant, Linda Hill (hereafter "Hill" or "Appellant"), filed this appeal on May 28, 1998 with the Civil Service Commission (hereafter "Commission") claiming the Respondent, Boston Police Department ("Department" or "BPD") as Appointing Authority, did not have just cause to terminate her on May 19, 1998 from her position as a police officer for the Department for three counts of violation of BPD Rule 102, § 35 (Conformance to Laws) and three counts of

¹ Both parties and the transcript identify this appeal as being under Commission Docket No. D-6045. This was the originally assigned Docket Number but it was changed to D-00-2903 as a result of the Commission's conversion to the Case Tracking System in August 2000.

violation of BPD Rule 102, § 3 (Conduct Unbecoming). All of these charges stemmed from allegations that the Appellant had possessed and distributed an amount of cocaine on February 8, 1997. The appeal was timely filed. A hearing was held on April 27, 1999, May 17, 1999 and May 27, 1999 before Commission Hearing Officer John Tobin. Mr. Tobin left the Commission without having issued a decision in this matter. Mary Ames, Esq. represented the Department and Frances Robinson, Esq. represented the Appellant at the hearing. The parties provided the Commission with a transcript of the hearing and the parties have agreed that the Commission shall decide the appeal based upon a review of the transcript and the testimony therein.

FINDINGS OF FACT:

Based on the written transcript of the Commission's hearing in this matter and the Proposed Decisions of both parties, submitted as instructed in August 2007, I make the following findings of fact:

1. The Appellant, Linda Hill, was a tenured civil service employee and had been employed by the Department as a police officer for approximately thirteen (13) years at the time of her termination. (Testimony of Hill, Tr. I p. 25)
2. The Appellant had no disciplinary history prior to the incident at issue in this appeal.
3. On February 8, 1997, at approximately 9:30 PM, Boston Police Detective Michael Feeney ("Feeney") of the E-13 Drug Control Unit was on duty in an unmarked Mitsubishi at the Stony Brook MBTA Station, a high crime area. (Testimony of Feeney, Tr. II p. 17-18)

4. In 1997, Feeney was a thirteen (13) year veteran of the Department. Twelve of his thirteen years had been spent involved in narcotic investigations and arrests. Approximately 95% of his arrests were drug related. Feeney testified that he had received extensive training and education in the area of narcotic investigations and control and that he has been part of thousands of drug surveillances and investigations over the years and undertaken thousands of arrests. He stated that he has been qualified as an expert in narcotics enforcement by various courts on hundreds of occasions, including the United States Federal District Court, the Suffolk Superior Court, and the Dorchester, Roxbury and West Roxbury District Courts. I find that he offered credible testimony based on his experience, knowledge and the logic and clarity of his explanations. (Testimony of Feeney, Tr. II p. 6-12)
5. Feeney described the typical pattern of street level drug transactions in Boston as of February 1997. He stated that, typically, street level transactions were initiated from pay phones by the buyer. Certain pay phones in the City were used more frequently than others since these phones had a call back feature. Pay phones in busy areas were used more often by drug buyers because they would be less conspicuous. After using the phone, the buyer would usually leave the area and drive to a meeting spot. A seller would often use a motor vehicle to undertake the drug transaction because of the speed with which the transaction could be undertaken. (Testimony of Feeney, Tr. II p.14-17)
6. Feeney testified that he was familiar with the Stony Brook MBTA station and knew it to be a high drug area. He had particular concerns with the pay phone

located just inside the doors at that location because he knew it was often used for drug transactions. (Testimony of Feeney, Tr. II p.18)

7. On February 8, 1997 at 9:30 PM, Feeney observed Tyrone Simpson ("Simpson"), a heavy-set male weighing approximately 300 pounds, exit a Ford Bronco and approach the pay phone at the Stony Brook MBTA station. Simpson was on the phone for a very short time, perhaps 15-20 seconds. Feeney stated that this was consistent with drug ordering. (Testimony of Feeney, Tr. II p. 20)
8. Simpson testified that he used the pay phone at the Stony Brook MBTA station that night, stating that he called his cousin to learn if he wanted Simpson to get him any food at McDonald's before he picked him up to go to a 10:00 movie in Brighton. Simpson stated that he owned a cell phone and a beeper on that date, but neither was in his possession. He testified that there were other pay phones that he could have used closer to the McDonald's but that the other phones on his route to McDonald's were not sanitary enough for him. (Testimony of Simpson, Tr. II p. 116-138 and 170)
9. After using the pay phone, Simpson drove off. Feeney followed him. Simpson's Bronco pulled into a McDonald's' parking lot in Egleston Square and backed into a parking spot so that his vehicle faced the restaurant. (Testimony of Feeney, Tr. II p. 22-23)
10. After Simpson parked the Bronco at McDonald's, he stayed in the vehicle. Feeney stated that this pattern of behavior was also consistent with drug dealing and that he radioed his fellow squad members at that point to alert them to a potential drug deal. (Testimony of Feeney, Tr. II p. 26)

11. Within a minute of Feeney's call, Police Officer Fermain Cardona ("Cardona") arrived at the McDonald's to conduct surveillance of the Bronco. Feeney immediately pulled out of the lot and drove to a nearby gas station to observe the scene. Feeney testified that he intended to follow whoever left the parking lot first since, in his experience, once the drug deal is made, the two parties leave one another, with the seller usually leaving first. Typically, Feeney will follow the first car, the seller, until he hears from other squad members that drugs were recovered from the buyer. He then has probable cause to stop the vehicle he is following. (Testimony of Feeney, Tr. II p. 36-42)
12. Cardona was on duty approximately a block away that evening as part of the E-13 Drug Control Unit. He was traveling in an undercover vehicle, a Chevy Lumina with tinted windows. Cardona testified that he patrolled the area near the McDonald's every day and that it was well known for being a high drug area. (Testimony of Cardona, Tr. I p. 106-110)
13. Cardona had been a member of the Drug Control unit for nine years as of 1997. He has received extensive specialized training and education relative to the enforcement of narcotics, and has participated in thousands of drug investigations, hundreds of undercover operations, and made thousands of drug related arrests. He has been qualified in various district courts and the Suffolk Superior Court as an expert in the investigation and distribution of narcotics on at least fifty occasions. I find that he provided credible testimony based on his experience and knowledge. All of the officers, including Cardona, who observed the alleged drug deal occur appeared to have had unobstructed views of the activities involved. He

- also offered logical and clear explanations of the events in question which corroborated the testimony of Feeney. (Testimony of Cardona, Tr. I p. 100-104)
14. Cardona testified that the McDonald's in Egleston Square is one of the best spots for drug activity because, unless an undercover officer has surveillance in the lot, it was impossible to watch the drug deal as the surrounding buildings are shaped as a semi-circle and conceal most of the activity occurring behind them from a busy intersection of streets forming the Square. (Testimony of Cardona, Tr. I p. 151-153)
15. Cardona pulled into the lot and parked his undercover vehicle approximately 30 to 50 feet away from the Bronco driven by Simpson. He saw a heavy-set black male in the Bronco, Simpson, with his window open. Cardona's view of the Bronco was fully unobstructed and the lot was clearly lit. Additionally, he had binoculars in his vehicle in order to aid in his surveillance. (Testimony of Cardona, Tr. I p. 115-122)
16. Cardona testified that minutes after he parked, a Toyota Camry pulled in next to the Bronco, parking at an angle with the driver's side of the Camry next to the driver's side of the Bronco, with one and one-half parking spaces between the two vehicles. Cardona's vehicle was approximately four to five parking spaces from the Toyota. The passenger side of the Toyota was visible to Cardona. (Testimony of Cardona, Tr. I p. 122-124)
17. Cardona testified that when the Camry parked, Simpson immediately got out of his Bronco and approached the driver's side of the Toyota. He leaned down at the window and had a very quick conversation, then walked behind the Toyota and

approached the passenger side and opened the passenger door. Cardona stated that there was nothing in Simpson's right hand as he pushed the door open with his right palm and that his left hand rested on the hood of the vehicle. Cardona testified that he had an unobstructed view and was intentionally looking at these particular details since as he was conducting surveillance of what he believed to be a potential drug deal. Once Simpson's body was fully leaning in the vehicle, Cardona lost sight of his hand because Simpson moved his body. (Testimony of Cardona, Tr. I p. 125-130)

18. Cardona observed Simpson as he pulled himself back out of the Camry. He testified that Simpson's right hand was closed in a fist and his palm was not visible. Simpson closed the door with his left hand. I find that it is more probable than not that Simpson had something in his right hand when he exited the Camry whereas it was empty before he opened the door and reached into the vehicle. (Testimony of Cardona, Tr. I p. 132)

19. After Simpson shut the Camry door, it started to back up. At that time, Cardona gave a description of the car to his squad and told them to keep an eye on it. Within seconds of that verbal transmission, Feeney saw the Toyota Camry pull out of the parking lot. (Testimony of Feeney, Tr. II p. 45-46)

20. Feeney corroborated Cardona's testimony, testifying that Cardona radioed that a Toyota Camry was pulling up to the Bronco and that the Bronco's driver got out of his vehicle and approached the driver's side of the Toyota. Feeney then heard Cardona say, "He's walking back with a package in his hand." Cardona

subsequently relayed to his squad that the Toyota was leaving the lot. (Testimony of Feeney, Tr. II p. 45-46)

21. Within twenty seconds of the Toyota's departure from the lot, Cardona approached the driver's side of the Bronco and saw Simpson with his head down, looking at something in his hand. He saw a plastic bag in Simpson's right hand that, through his training and experience, appeared to be narcotics.² Cardona asked Simpson to give him the bag and Simpson complied. He then asked Simpson to step out of the vehicle. (Testimony of Cardona, Tr. I p. 137-138)
22. Simpson testified that he took the cocaine out of his pocket just prior to the officer arriving at his vehicle. He stated that he told the officer that he got the cocaine from someone at the Bromley Heath Housing Complex. (Testimony of Simpson, Tr. II p. 119-120)
23. Cardona stated that he asked Simpson, "How did you get a hold of them?", meaning how had Simpson gotten in touch with the person who had shown up in the Camry. Simpson replied, "I beeped them and they told me to park in the back parking lot at McDonald's." Cardona stated that he tried to continue asking Simpson questions but Simpson did not want to talk any longer. (Testimony of Cardona, Tr. I p. 140-142)
24. While Cardona was questioning Simpson in the lot, Feeney was following the Camry. Feeney testified that he had followed the Toyota for approximately a quarter of a mile before he heard Cardona say that "he got the stuff—the product," which indicated that he had found drugs on Simpson. Feeney then

² The narcotics were subsequently tested at the State Lab and it was confirmed that the white powder substance was three quarters of a gram of cocaine.

- stopped the Camry. The Camry was being driven by the Appellant. She was ultimately arrested shortly thereafter. (Testimony of Feeney, Tr. II p. 46-47 and 57-60)
25. Simpson was arrested by the Boston Police at the McDonald's and subsequently taken to the station for booking. (Testimony of Simpson, Tr. II p. 119-121)
26. The Appellant testified that she was the sole owner of a 1994 Toyota Camry and that she drove her vehicle to the McDonald's parking lot in question on the evening of February 8, 1997. She stated that she had been on her way to spy on her boyfriend at his home, but changed her mind and decided to turn around in the McDonald's parking lot in order to go back home and had no intention of stopping there. The Appellant stated that she owned a pager (beeper) as of February 8, 1997. (Testimony of Hill, Tr. I p. 35-38, 43, 47-54)
27. The Appellant testified that it was strictly by chance that she saw Simpson, an acquaintance, parked in the McDonald's lot in his Ford Bronco. She stated that Simpson got out of his vehicle when she drove into the lot and walked to the driver's side of her vehicle. She testified that her window was rolled down and that they had an initial conversation at the driver's side. The Appellant stated that, "for some reason," Simpson then walked towards the back of her car and went to the passenger side. She stated that Simpson opened the door and that he leaned in and gave her ten dollars that he owed her. (Testimony of Hill, Tr. I p. 34, 42-43, 57-71)
28. The Appellant's story was contradicted by Officer Stephen Beath, a co-worker of the Appellant's for approximately nine years with whom she had a friendly

relationship. Beath testified that after Feeney stopped the Appellant's vehicle, Beath asked her, "How did you happen to meet Tyrone Simpson in Egleston Square?" The Appellant responded that Simpson had called her and said he would be in Egleston Square in ten minutes and would give her the ten dollars he owed her. Beath asked the Appellant where she lived and she answered, "Dorchester Avenue." Beath then said, "You mean you drove all the way up from Dot Ave. to Egleston Square to get ten dollars?" The Appellant replied that Simpson had owed her the money for a long time. (Testimony of Beath, Tr. II p. 95-98)

29. Simpson testified at the Commission hearing on behalf of the Appellant. He stated it was the first time that he had seen the Appellant's car, that he was impressed with the leather seats and dash in her Camry and that he was taking a closer look inside the car when he was on the passenger side after giving the Appellant the ten dollars he owed her. (Testimony of Simpson, Tr. II p. 120, 151)
30. After the arrests, Feeney returned to the McDonald's parking lot and took measurements of the area and its proximity to a nearby school. The spot where the vehicles were parked at McDonald's was within a thousand feet of Raphael Hernandez School, which would violate state law. (Testimony of Feeney, Tr. II p. 47-49)
31. The Appellant was acquitted of all charges in the Roxbury District Court. Simpson admitted to sufficient facts and was found guilty of possession of cocaine. (Tr. 1-121)

32. Subsequent to the incident involving the Appellant in Egleston Square, the Boston Police Department, through Specifications I through VI, charged the Appellant with possessing and selling three-quarters of a gram of cocaine to Simpson within a thousand feet of a public school (a further violation of Massachusetts criminal law) on February 8, 1997. The Department sustained all six of the specifications against Hill at an internal disciplinary hearing on April 2, 1998 for three counts of violation of Rule 102, § 35 (Violation of Law) and three counts of violation of Rule 102, § 3 (Conduct Unbecoming) of the Rules and Procedures of the Boston Police Department. These rules are as follows:

Rule 102, § 35 (Conformance to Laws) provides that “[E]mployees shall obey all laws of the United States, of the Commonwealth of Massachusetts, all City of Boston ordinances and by-laws and any rule or regulation having the force of law of any board, officer, or commission having the power to make rules and regulations. An employee of the Department who commits any criminal act shall be subject to disciplinary action up to and including discharge from the Department. Each case shall be considered on its own merits, and the circumstances of each shall be fully reviewed before the final action is taken.”

Rule 102, § 3 (Conduct) provides that “[E]mployees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which tends to indicate that the employee is unable or unfit to continue as a

member of the Department, or tends to impair the operation of the Department or its employees.”

CONCLUSION:

The role of the Civil Service Commission is to determine “whether the appointing authority has sustained its burden of proving that there was reasonable justification for the action taken by the appointing authority.” City of Cambridge v. Civil Service Commission, 43 Mass. App. Ct. 300,304 (1997). *See* Town of Watertown v. Arria, 16 Mass. App. Ct. 331 (1983); McIsaac v. Civil Service Commission, 38 Mass. App. Ct. 473, 477 (1995); Police Department of Boston v. Collins, 48 Mass. App. Ct. 411 (2000); City of Leominster v. Stratton, 58 Mass. App. Ct. 726, 728 (2003). An action is “justified” when it is done upon adequate reasons sufficiently supported by credible evidence, when weighed by an unprejudiced mind; guided by common sense and by correct rules of law.” *Id.* at 304, quoting Selectmen of Wakefield v. Judge of First Dist. Ct. of E. Middlesex, 262 Mass. 477, 482 (1928); Commissioners of Civil Service v. Municipal Ct. of the City of Boston, 359 Mass. 211, 214 (1971). The Commission determines justification for discipline by inquiring, “whether the employee has been guilty of substantial misconduct which adversely affects the public interest by impairing the efficiency of public service.” Murray v. Second Dist. Ct. of E. Middlesex, 389 Mass. 508, 514 (1983); School Committee of Brockton v. Civil Service Commission, 43 Mass. App. Ct. 486, 488 (1997). The Appointing Authority’s burden of proof is one of a preponderance of the evidence which is established “if it is made to appear more likely or probable in the sense that actual belief in its truth, derived from the evidence, exists in the

mind or minds of the tribunal notwithstanding any doubts that may still linger there.” Tucker v. Pearlstein, 334 Mass. 33, 35-36 (1956). In reviewing an appeal under G.L. c. 31, § 43, if the Commission finds by a preponderance of the evidence that there was just cause for an action taken against an Appellant, the Commission shall affirm the action of the Appointing Authority. Town of Falmouth v. Civil Service Commission, 61 Mass. App. Ct. 796, 800 (2004).

The issue for the Commission is “not whether it would have acted as the appointing authority had acted, but whether, on the facts found by the commission, there was reasonable justification for the action taken by the appointing authority in the circumstances found by the commission to have existed when the Appointing Authority made its decision.” Watertown v. Arria, 16 Mass. App. Ct. 331, 334 (1983). *See* Commissioners of Civil Serv. v. Municipal Ct. of Boston, 369 Mass. 84, 86 (1975) and Leominster v. Stratton, 58 Mass. App. Ct. 726, 727-728 (2003).

It is well established that police officers must “comport themselves in accordance with the laws that they are sworn to enforce and behave in a manner that brings honor and respect for rather than public distrust of law enforcement personnel. They are required to do more than refrain from indictable conduct. Police officers are not drafted into the public service; rather, they compete for their positions. In accepting employment by the public, they implicitly agree that they will not engage in conduct which calls into question their ability and fitness to perform their official responsibilities.” *See supra*

Meaney v. City of Woburn, 18 MCSR 129, 133 (2005); citing Police Commissioner of Boston v. Civil Service Commission, 22 Mass. App. Ct. 364, 371 (1986)

In the present matter, Boston Police Department Specifications I through VI charged the Appellant with possessing and selling three-quarters of a gram of cocaine to Simpson within a thousand feet of a public school (a further violation of Massachusetts criminal law) on February 8, 1997. The Department sustained all six of the specifications against Hill at an internal disciplinary hearing on April 2, 1998 for three counts of violation of Rule 102, § 35 (Violation of Law) and three counts of violation of Rule 102, § 3 (Conduct Unbecoming) of the Rules and Procedures of the Boston Police Department. These rules are as follows:

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Rule 102, § 3 (Conduct) provides that “[E]mployees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which tends to indicate

that the employee is unable or unfit to continue as a member of the Department, or tends to impair the operation of the Department or its employees.”

At the hearing, the Department submitted evidence in the form of Feeney’s and Cardona’s credible testimony and supporting documents which proved by a preponderance of the evidence that the Appellant had violated the above Department rules. The evidence showed that Feeney, a well-trained, expert narcotics Detective, was conducting surveillance of the pay phone located at the Stony Brook MBTA station, a high drug area, on February 8, 1997. At approximately 9:30 PM, he saw Simpson approach a pay phone and use it for a very short period of time. Simpson then returned to his vehicle and drove to the McDonald’s at Egleston Square, a frequently used location for drug dealing due to its seclusion behind a large, semi-circular building shielding its proximity to main thoroughfares. After Feeney notified his fellow drug squad members of his suspicions about Simpson’s actions and asked for another officer to aid him, Cardona arrived and Feeney pulled out of the lot. At no time did the Boston Police lose sight of the Simpson vehicle. Within minutes, a Toyota Camry operated by the Appellant arrived in the parking lot and pulled directly next Simpson’s vehicle. Simpson immediately exited his vehicle and approached the driver’s side of the Appellant’s Camry but soon after walked behind the car and to the passenger side. Cardona testified credibly that when Simpson approached the passenger side of the Appellant’s vehicle that there was nothing in his right hand and that when he emerged from the Camry, his right hand was closed in a fist and his palm was not visible. As soon as Simpson shut the Camry door, the Camry left the parking lot.

According to Feeney's and Cardona's knowledgeable and credible testimony, the above actions are consistent with drug activity. Further, within moments of the Camry leaving the lot, Cardona approached Simpson sitting in the driver's side of the Bronco and saw a plastic bag in Simpson's right hand that, through his training and experience, appeared to be cocaine. The contents of the plastic bag were subsequently tested and determined to be approximately three quarters of a gram of cocaine. Although Simpson claimed that he took the cocaine out of his pocket just prior to the Officer's arrival at his vehicle door and that he bought the cocaine from someone other than the Appellant, his testimony on this issue was not credible. Simpson had just performed a series of actions which were well-known to law enforcement officials to be indicative of making a drug purchase. It is a stretch of credulity to believe that he just happened at that time to be giving close scrutiny to the cocaine he had on his person that he claims he received some time prior from another source. The more plausible scenario is that Simpson had a bag of cocaine in his hand when Cardona arrived because he had just received it from the Appellant and he was examining his purchase.

Moreover, the Appellant admitted that Simpson exited his vehicle when she arrived in the McDonald's lot, that he went to her driver's side window first and then walked towards the back of the car to the passenger side, opened the door and leaned in and gave her ten dollars.

Although the Appellant stated that it was happenstance that she ran into Simpson in the McDonald's parking lot that evening, her testimony about her plans that evening was not consistent. The Appellant testified that she decided to abort her mission to spy on her boyfriend and was only using the McDonald's parking lot as a turn-around to go back home. It was there, she said, that she coincidentally ran into Simpson. However, the Appellant's story was impeached by the credible testimony of Officer Beath, who had no motivation to lie. Beach testified that, at the time of her arrest, the Appellant told him that Simpson had paged her to meet her and return money to her. The Commission finds that it is more likely than not that the Appellant and Simpson pre-arranged their meeting in the McDonald's parking lot.

Cardona's observations of Simpson's right hand while the Appellant was in the parking lot, coupled with Simpson's prior behavior at the MBTA station and Cardona's encounter with Simpson immediately after the Appellant left the parking lot, are sufficient to support a just cause finding that the Appellant provided Simpson with the drug in question. Further, measurements taken by the Department after the arrest of Simpson and the Appellant indicated that the drug sale occurred within 1,000 feet of a public school, another violation of the drug laws.

The Department has proved by a preponderance of the evidence that the Appellant possessed cocaine, sold cocaine and that she possessed and sold this cocaine within 1,000 feet of a school zone. These actions violate the law and constitute conduct unbecoming of an officer. Although the Appellant was acquitted of the charges in a criminal court

arising from the same factual circumstances, the Commission may find Hill responsible for the acts that the Appointing Authority asserts that she committed on February 8, 1997. An acquittal in a criminal trial does not prevent a finding of responsibility in a civil proceeding because of the different standards of proof in each forum. *See, In the Matter of Alan Segal*, 430 Mass. 359 (1999). In addition, the lack of criminal conviction on the criminal charges does not affect the outcome of the Civil Service hearing since the Commission conducts its own evidentiary hearing to establish just cause. *See, Socheath Toun v. Lowell Police Department*, 12 MCSR 204 (1999). At issue in the present case is whether there is a preponderance of the evidence, not proof beyond a reasonable doubt, to support a termination based on the same facts that led to Hill's arrest.

In sum, the Department has met its burden and the Appellant's termination is upheld. For all of the above reasons, the Appeal under Docket No. D-6045 is hereby *dismissed*.

Civil Service Commission

John J. Guerin, Jr.
Commissioner

By vote of the Civil Service Commission (Chairman Bowman, Guerin, Henderson, Marquis, and Taylor, Commissioners) on December 13, 2007.

A true record. Attest:

Commissioner

Either party may file a motion for reconsideration within ten days of the receipt of a Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(1), the motion must identify a clerical or mechanical error in the decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration shall be deemed a motion for rehearing in accordance with G.L. c. 30A, § 14(1) for the purpose of tolling the time for appeal.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by a final decision or order of the Commission may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of such order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court, operate as a stay of the Commission's order or decision.

Notice:

Frances L. Robinson, Esq.

Tara L. Chisholm, Esq.