

**COMMONWEALTH OF MASSACHUSETTS
PEACE OFFICER STANDARDS AND TRAINING COMMISSION**

In the Matter of)	Case No. SU-2024-007
)	(PI- 2023-12-19-004)
John Delaney)	MPTC User ID No. 9997-6932

SUSPENSION ORDER

The Peace Officer Standards and Training Commission (“Commission”) hereby provides notice of the suspension of the law enforcement certification of Respondent John Delaney, pursuant to [REDACTED]

[REDACTED] The Commission finds by a preponderance of the evidence that the crime affects the fitness of the officer to serve as a law enforcement officer. [REDACTED]

The Respondent’s suspension is effective immediately upon receipt of this letter 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); 555 CMR 1.08(3). The Respondent and the agency must ensure that the Respondent surrenders, 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. See M.G.L. c. 6E, § 3(a); 501 CMR 15.05(1), (2)(f)-(g).

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

By vote of the Commission on February 15, 2024.

Notice to: John Delaney
 Commission Division of Police Standards
 Malden Police Department
 Collective Bargaining Unit
 Middlesex County District Attorney’s Office
 Massachusetts Attorney General’s Office

* According to the information the Commission received from the Malden Police Department, the Respondent retired from that agency on December 4, 2023, after the Department scheduled a termination hearing based on sustained rules violations. See M.G.L. c. 6E, § 8(b)(4); 555 CMR 1.01(5).

Notice of Right to a Suspension Hearing

You may request a hearing before:

- (1) 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).
- (2) 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 generally 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 also 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.

If you wish to request a hearing, please email your request to POSTCReview@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.

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.