



Massachusetts POST Commission

84 State Street, Suite 200, Boston, MA 02109

November 29, 2023

Via USPS Priority Mail #9405509105156050927722

Timothy Brennan
151 Spring Street
Hopkinton, MA 01748

RE: Case No. PI-2023-11-16-001; Preliminary Inquiry Opened Pursuant to M.G.L. c. 6E, § 8(c) and 555 C.M.R. § 1.02

Mr. Brennan,

The POST Commission (“Commission”) hereby gives notice that its Division of Police Standards (“the Division”) has been authorized to open a preliminary inquiry into your alleged misconduct pursuant to M.G.L. c. 6E, § 8(c) and 555 CMR 1.02. The purpose of the preliminary inquiry is for the Division to investigate allegations made against you and to make a recommendation to the Commission regarding any discipline, up to and including the revocation of your certification as a law enforcement officer. *See* M.G.L. c. 6E, §§ 8(a), 10(a)-(g).

The allegations against you relate to the criminal case against John Porter, a former police officer at the Hopkinton Police Department. All references to the “complaining witness” that follow refer to the complaining witness in the case against John Porter. It has been alleged that, when you were a school resource officer, you met the complaining witness in approximately 2005. At that time, the complaining witness purportedly was a high school student whom you knew in your official capacity, who also later babysat for your children. In 2015, it is reported that you and the complaining witness had a meeting during which she informed you that she had been having a “consensual sexual relationship” since the day of her 18th birthday with Porter, who was 39 years old when the complaining witness turned 18.

Approximately two years later, in 2017, the complaining witness allegedly told you that Porter had committed an indecent assault and battery against her when she was only 14 years old. Later, in 2022, it is alleged that the complaining witness again contacted you to inquire about how she could report the indecent assault and battery to law enforcement. The only thing you reportedly did in response was to refer the complaining witness to the District Attorney’s Office’s Child Abuse Unit. In August of 2022, the complaining witness purportedly told you that Porter had also committed a rape against her when she was 14 years old.

It is alleged that you never reported any of the complaints against Porter to anyone until the Massachusetts State Police contacted you for an interview in late August 2022. Prior to that point, you allegedly never told anyone about the reported indecent assault and battery nor about the improper “consensual” relationship between Porter and the complaining witness, despite knowing the information for several years. Additionally, you allegedly never reported the complained of rape to any superior officer at Hopkinton Police Department.

During the corresponding internal investigation of the above allegations, your appointing agency found that you violated the school resource officer policy, that you were inattentive to your duty as an officer, and that you failed to report the alleged sexual assault, all in violation of various department policies. As a result of those findings, there is a possibility that you will receive discipline from your appointing agency.

In order to conduct its preliminary inquiry in a timely manner, the Division hereby requests that you provide your written response to the above allegations, including any findings that your appointing agency made against you, within fourteen (14) calendar days. Your response should be sent by e-mail to poststandards@mass.gov and include in the subject line “Officer Response to Preliminary Inquiry [Case No. PI-2023-11-16-001].”¹ Please note that if you do not respond, the Division may report to the Commission that the allegations are “without opposition.” If for any reason, you contend that a *substantive* response is not required and/or cannot be given, you can and should explain this contention in a written response to this letter.

Pursuant to M.G.L. c. 6E, § 8(c)(3) and 555 CMR 1.04, this notice of a preliminary inquiry is being sent to you, the head of your appointing agency, the head of your collective bargaining unit, and the district attorney’s office(s) of competent jurisdiction.

Notice of Right to Appeal

Pursuant to M.G.L. c. 6E, § 10(f), “[a]ny decision of the commission relative to a preliminary inquiry, revocation and suspension proceeding shall be appealable pursuant to chapter 30A.”. Please note the general rule that the complaint for judicial review under M.G.L. c. 30A, § 14 does not stay an agency’s decision pending judicial review. *See* M.G.L. c. 30A, § 14(3).

*Division of Police Standards
POST Commission*

cc: Chief Joseph Bennett (jbennett@hopkintonpd.org)
Detective Gregg Deboer (gdeboer@hopkintonpd.org)

¹ Any request for additional time to respond should be sent to the same e-mail address.