



Bruins 3, Penguins 4, Final

Fired Environmental Police colonel sues agency, claiming politically motivated retaliation

By [Matt Rocheleau](#) Globe Staff, July 16, 2019, 3:07 p.m.



The former head of the Massachusetts Environmental Police filed a federal lawsuit Tuesday saying he was wrongfully terminated in retaliation for blowing the whistle on unethical and illegal conduct within the agency. PAT GREENHOUSE/GLOBE STAFF/FILE 2018/GLOBE STAFF

The former head of the Massachusetts Environmental Police filed a federal lawsuit Tuesday asserting that he was wrongfully terminated as [retaliation for reporting](#) unethical and illegal conduct within the agency.

James McGinn, who was fired last fall for allegedly fixing two traffic tickets, said in the lawsuit that his former boss, Matthew Beaton, then the state's secretary of energy and environmental affairs, grew "increasingly hostile" towards him

after he refused Beaton's requests to "assist" him with a speeding ticket and look up a neighbor in a criminal records database reserved for legitimate law enforcement purposes.

Beaton also grew frustrated after McGinn repeatedly raised concerns about "an accepted lack of accountability for many of the senior members" within the agency and that officers were not working the hours they were paid to, the lawsuit alleged.

"Secretary Beaton advised Colonel McGinn to keep a 'lid on things' because no one wanted to hear of any problems before the upcoming gubernatorial election," read the lawsuit, which repeated allegations McGinn's lawyer, Timothy M. Burke, made in a [letter](#) to state officials in late April.

Beaton, who [stepped down](#) from his post in April to take a job in the private sector, could not be reached for comment.

Officials at Governor Charlie Baker's office referred questions to the Executive Office of Energy and Environmental Affairs, which declined to comment.

In October, Beaton [fired](#) McGinn, a former State Police sergeant who years ago served as Baker's personal campaign driver. An internal state review had found McGinn [fixed two traffic tickets](#), installed unauthorized surveillance cameras at an Environmental Police office, and hired a private investigator to follow an officer.

The report was [forwarded](#) to the state ethics commission, which according to McGinn's lawsuit is now investigating the ticket-fixing allegation. McGinn "adamantly" denies that allegation. The attorney general's office has said it reviewed the internal state review and did not take any criminal action.

McGinn was fired after the Globe reported that his former neighbor said he had called McGinn in 2015 to contest a ticket. That citation never made its way into the court system, records show.

In the lawsuit, McGinn said the surveillance cameras and private investigator were part of his effort to ensure officers showed up at work.

The lawsuit said the private investigator's probe found that an officer "on numerous instances, either did not appear for work on time, or at all, on assigned workdays," but that those findings were not made public "in an effort to prevent negative publicity during the 2018 gubernatorial election."

McGinn raised various other concerns, including that a member of the agency's command staff drank alcohol at a Christmas party before driving an unmarked state-issued vehicle and later lied about doing so, according to the lawsuit.

But McGinn said his efforts to clean up the force were overruled.

Burke said he plans to file additional documents to support the lawsuit's assertions, including the private investigator's report.

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