

IN RE: GARY R. EDWARDS

NO. BD-2016-047

S.J.C. Order of Term Suspension/Stayed entered by Justice Lowy on October 16, 2017.¹

The respondent stipulated to a three month suspension, stayed for twelve months with conditions, after he admitted to sufficient facts in a criminal matter unrelated to the practice of law. The underlying criminal case was dismissed after the respondent satisfactorily completed the terms of his probation.

SUMMARY²

On January 11, 2016, the respondent, Gary R. Edwards, who was admitted to the bar of the Commonwealth on December 15, 1998, admitted in the Plymouth District Court to sufficient facts to one count of indecent assault and battery on a person fourteen or over, a felony, in violation of M.G.L. c. 265, § 13H. The matter was continued without a finding until January 11, 2017, with probationary terms. The circumstances supporting the admission to sufficient facts were as follows.

The respondent was employed as a massage therapist. During a massage, he asked a female customer, age 34, if she wanted her chest massaged. When she said yes, the respondent massaged her breasts and touched her nipples. She immediately told him to stop, and he did. The customer allowed the massage to continue but reported the incident to the owner of the facility later that day.

In mitigation, the respondent's criminal conduct did not involve the practice of law. The respondent ceased his indecent assault and apologized when the victim objected. The respondent complied with the terms of his probation, including a mental health evaluation and counseling, as a result of which the charge was dismissed at the end of the continuance period. The respondent has surrendered his license as a Massage Therapist Practitioner.

On August 22, 2017, bar counsel and the respondent filed with the Board of Bar Overseers a stipulation for discipline. The respondent admitted his misconduct as described above. The parties agreed that the respondent be suspended for three months, with the execution of the suspension stayed for twelve months, with the condition that the respondent remain in therapy quarterly and provide bar counsel with current reports from his therapist every six months.

On September 11, 2017, the board voted unanimously to accept the stipulation of the parties and to recommend that the respondent be suspended for three months, stayed for twelve months on the condition stated in the stipulation. On October 16, 2017, the Supreme Judicial Court for Suffolk County (Lowy, J.) so ordered.

¹ The complete order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.