

MICHAEL S. SZYMANSKI, JR.

Public Reprimand No. 2019-8

Order (public reprimand) entered by the Board on May 2, 2019.

The respondent stipulated to a public reprimand in a case where he used his position as a state trooper to obtain and disseminate CORI/CJIS information in connection with domestic relations cases he was handling in his private legal practice. Doing so violated Mass. G.L. c. 6, § 172.

SUMMARY¹

The respondent received a public reprimand for improperly requesting, obtaining and disseminating CORI/CJIS information obtained through his position as a Massachusetts State Trooper for use in his private legal practice.

The respondent was admitted to the bar of the Commonwealth on June 16, 2004. He was also employed as a Massachusetts State Trooper and permitted to engage in outside employment as a private attorney in noncriminal matters, subject to certain conditions. Pursuant to M.G.L. c. 6, §172(a)(1), the respondent was authorized to request and obtain electronic Criminal Offender Record Information and information from Criminal Justice Information Services (CORI/CJIS) for the performance of his criminal justice duties. Dissemination of CORI/CJIS is prohibited by statute, subject to few exceptions. M.G.L. c. 6, §172.

Throughout 2015, the respondent improperly requested and obtained CORI/CJIS information in connection with domestic relations cases he was handling in his private legal practice and not for legitimate law enforcement purposes from a computer terminal located at the State Police barracks. In three separate cases, the respondent improperly requested and obtained CORI/CJIS information and in two of those cases, improperly disseminated that information. The respondent's conduct in these instances violated M.G.L. c. 6, §172.

By improperly obtaining and disseminating CORI/CJIS information on multiple occasions while acting as counsel in domestic relations matters, the respondent violated Mass. R. Prof. C. 4.4(a) and 8.4(d).

The respondent had no history of discipline.

On February 26, 2019, bar counsel filed a petition for discipline and the respondent's answer and stipulation of the parties. The parties jointly recommended that the respondent receive a public reprimand. On April 8, 2019, the Board of Bar Overseers accepted the parties' recommendation and imposed a public reprimand.

¹ Compiled by the Board of Bar Overseers based on the record of proceedings before the board.