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Indicted Suffolk Sheriff Steven Tompkins asks judge to exclude ethics violation evidence in extortion trial

The federal proceedings are set to start Aug. 24



Suffolk Sheriff Steven Tompkins, left, and his attorney Martin Weinberg, right, outside federal court last year. (Mark Stockwell/Boston Herald)



By **COLLEEN CRONIN** | ccronin@bostonherald.com

PUBLISHED: July 16, 2026 at 5:54 PM EDT

Suffolk Sheriff [Steven Tompkins](#) is asking a judge to exclude evidence about his alleged state ethics violations from his federal extortion trial.

“Any evidence regarding state ethical violations is both irrelevant to the charges in this case and unfairly prejudicial to Mr. Tompkins,” his attorney Martin Weinberg wrote in a partially redacted motion.

Federal prosecutors indicted Tompkins last August, accusing the sheriff of trying to squeeze a Boston-based cannabis company for stock just before it was about to go public. Tompkins allegedly told one of its execs that he’d helped them through their pot shop licensing process and that the company would need his help with that process again.

According to the indictment, the exec feared that refusing to sell the pre-IPO stock would hurt the company’s pre-existing partnership with the sheriff’s department.

Tompkins has denied the allegations, and previously sought to [dismiss the case](#), which a judge denied.

The indictment also mentioned previous disposition agreements Tompkins entered into with the Mass State Ethics Commission in 2015 and 2023, and prosecutors are seeking to admit information from those agreements in the extortion trial.

According to Tompkins' motion to exclude that evidence, his lawyer wrote that the sheriff admitted to using his position to get retailers to take down his political opponent's campaign signs and hiring his niece and directing department employees to take care of his children.

Weinberg wrote that those allegations were "far removed from the charges in this case."

Although those agreements may have required him to read state ethics laws, "any violation by Mr. Tompkins of the state ethics statute is utterly irrelevant to proving the mens rea required for quid pro quo bribery," Weinberg wrote.

"Ultimately, evidence as to whether or not Mr. Tompkins violated state ethics laws will only serve to distract the jury by introducing a legal standard different than the one that the Court will instruct it to apply to Mr. Tompkins's conduct," he continued.

According to Weinberg, of the 75 pages federal prosecutors are seeking to admit about the state ethics violations, 50 pages are information about Massachusetts General Laws, which he wrote would confuse the jury.

The motion said that introducing the evidence would end up creating a "mini-trial" within the federal trial elongating then proceedings.

The government also wants to include "purported ethical violations by Mr. Tompkins that were not ultimately included in any disposition agreement," Weinberg wrote. The details of those additional allegations are redacted in the motion.

"These untested allegations contribute nothing of substance regarding Mr. Tompkins's knowledge of the ethics laws, which is the government's theory of relevance," he wrote. "And they raise a serious risk that the jury will infer that the allegations are true and conclude that Mr. Tompkins is a dishonest public official."

After his indictment, Tompkins initially continued to work as sheriff until taking medical leave a few weeks later. His salary bumped up during his sick leave to [more than \\$190,000](#).

In February, [he started a legal defense fund](#), which as of mid-July has raised a little over \$5,000 from 17 contributors.

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Tompkins is scheduled to appear for a hearing on July 30, with his trial starting Aug. 24.