

South Kingstown Police Department

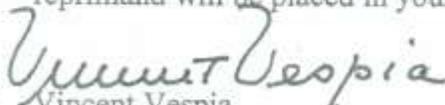
Memorandum

To: [redacted]
From: Chief Vespia
Subj: Letter of Reprimand
Date: January 3, 2012

On December 11, 2011 while working an overtime fill in dispatch with Dispatcher [redacted], both you and Disp. [redacted] failed to answer the radio at approximately 5:40 AM when Officer [redacted] radio that he was enroute with a prisoner. The review of the radio transmissions as well as statements provided, indicated that not only did you fail to answer the radio on one occasion, but failed to answer it three times. Obviously, this is behavior that cannot be tolerated within our public safety building, due to the fact that we are responsible for the safety and well fare of the citizens of this community as well as our police officers, firefighters and EMS personnel on the street.

I do appreciate the fact that once approached by the supervisor concerning this situation you immediately admitted that you fell asleep and therefore did not hear the radio transmissions.

Based on the fact that your behavior posed a potentially dangerous situation to the public safety personnel on the street as well as the greater good of the community you are hereby receiving a letter of reprimand for your actions on the night in question. This reprimand will be placed in your personnel file.


Vincent Vespia
Police Chief

PK

South Kingstown Police Department Memorandum

CONFIDENTIAL

To: _____
From: Chief Vincent Vespia
Subj: Letter of Reprimand
Date: March 13, 2012

I have received the report of an internal review conducted by the Command Staff of this department with respect to Incident _____. The record is replete with direct evidence, supported by statements of independent witnesses, that Officer _____ was assaulted by _____ and her daughter _____ while investigating an accident occurring on February 12, 2012 at 1327 hours. As a result of the assault, that you did not witness, Officer _____ the victim, had an abundance of probable cause to effect an arrest and was in the process of doing so until you arrived and directed Officer _____ not to make the arrest. An officer is entitled to use their discretion as to whether or not to arrest and that discretion lies with that officer. When an arrest is made on reasonable grounds it is a lawful arrest. SKPD policy 450.14, dealing with individuals with mental illness does provide alternatives to an arrest when an offense is minor in nature. In this case where Officer _____ was pushed and shoved by two people while attempting to handcuff _____ an immediate arrest for assault and resisting arrest was warranted. The record is also clear that upon your arrival, after the overt act of the assault, you assisted in deescalating and calming the verbal and physical confrontations that were occurring. Officer _____ in a conversation with you, indicated that she believed that _____ and _____ should be arrested and your response was that you would discuss the matter with Officer _____ later. That discussion occurred shortly thereafter in the Chartway Credit Union parking lot where you told Officer _____ of your support of her position to arrest after you had spoken to the independent witness Ms. _____. Your direction; however, to Officer _____ was to generate a call screen narrative rather than an OF report which is a prerequisite to an arrest. It appears at this juncture you were not considering arrest as an option.

Ms. _____ also provided Officer _____ with a detailed statement of her observations of the accident and the assault which clearly corroborated Officer _____ probable cause to effect an arrest. Your memorandum states that _____ simply told you that _____ got between Officer _____ and her daughter and impeded Officer _____ interview". Your on-scene interview, as reported in your memo, is starkly different than Ms. _____ formal statement to Officer _____. Had you taken the time to debrief Ms. _____ you would have gleaned the pertinent facts and evidence to support Officer _____ decision to arrest.

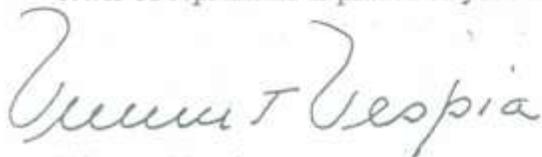
The only knowledge you possessed as to Mrs. _____ mental state was the comment made by _____ that her mother was _____. As you suggest, Mrs.

may have been an emotional wreck and out of control but the evidence was clear that she and her daughter assaulted Officer [redacted] and in so doing presented a danger to Officer [redacted] and others at the scene. I would refer you to Operational Policy 450.14 which represents the department's protocol in handling persons suspected of mental illness. Because this incident involved an individual allegedly with mental illness who had committed a crime, and threatened legal action against a subordinate officer, it was essential, by the rules and regulations of this police department, that you should have generated a detailed report defining [redacted] behavior to include your complete knowledge of the incident. You did not provide a report and acknowledged not doing so. Operational Policy 450.14 (Objectives - G) requires that all contacts with a person suspected or known to have mental illness will be documented in accordance with our reporting procedures.

Officer [redacted] report was completed on 2/12/12 and was submitted to the First Shift OIC via IMC case activity at 1648 hours. You were the OIC the following day and it was your responsibility to review and approve Officer [redacted] report. It remained unapproved until the arrival of [redacted] on 2/14/12. However, in your memo to Lt. [redacted] you indicate that you now believe [redacted] and [redacted] should have been charged. That being the case, as an OIC, I would expect that you would have directed Officer [redacted] to amend her report to reflect this position. By you not addressing Officer [redacted] report you failed to assist and support Officer [redacted] in case preparation and in essence left the case incomplete.

Your lack of leadership in all aspects of this matter, especially your lack of support of another officer who was the victim of an assault, is troublesome. The flawed direction you provided to a subordinate officer created the possibility for reproach and discredit upon our investigatory and enforcement practices. Had [redacted] been arrested, as the evidence supports, an end result may have provided her with mental health counseling and evaluation that would benefit her, the community and this police department should there be a subsequent encounter. What occurred was that [redacted] simply drove her car away in an elevated emotional state. The outright release of [redacted] from the scene, while exhibiting characteristics consistent with mental illness, was inappropriate and in violation of Operational Policy 450.14. At the very least SKEMS should have been summoned to evaluate [redacted] mental health and a possible referral to the appropriate social service agency such as South Shore Mental Health.

These facts establish that you did not meet the requirements under the provisions of section H entitled "Shift Commanders" requiring you to see that this case was promptly and properly investigated and that the appropriate action was taken. Accordingly, this letter of reprimand is placed in your Personnel File.



Vincent Vespia
Police Chief

South Kingstown Police Department

Memorandum

To: Chief Vespia
From: Captain
Subj:
Date: 7/1/14

On Monday, June 30, 2014 I was notified by [redacted] about the off-duty conduct of Officer [redacted]. I was advised that on 6/30/14 at approximately 0226 hrs. Officer [redacted] was off-duty and travelling home on Route 1 northbound in North Kingstown. Officer [redacted] observed a vehicle, RI passenger [redacted] operating erratically in the vicinity of the Route 1 and 4 split. Officer [redacted] immediately notified the North Kingstown Police via his cell phone to report the erratic operation. The vehicle then pulled over into the breakdown lane between West Allenton Road and Oak Hill Road. While speaking to the North Kingstown Police Officer [redacted] heard the broadcast put out over the radio stating the vehicle was registered to Officer [redacted]. Officer [redacted] then took the next exit and drove back to the area he had last observed Officer [redacted] vehicle but was unable to locate it. Officer [redacted] then notified the on duty OIC Sergeant [redacted] and advised him of the situation.

Sergeant [redacted] overheard the broadcast for the BOLO of Officer [redacted] vehicle and shortly after also received a phone call from Officer [redacted] advising him of what had occurred. Sergeant [redacted] called Officer [redacted] via cell phone to ascertain what was going on. Sergeant [redacted] indicated that Officer [redacted] spoke with slurred speech on the phone and at times was completely unintelligible. Sergeant [redacted] told him that there was a BOLO put out on his vehicle and Officer [redacted] immediately became angry with him asking how long ago. Sergeant [redacted] advised him that it was approximately 20 minutes prior. [redacted] again became angry and stated that he was at home and had been for almost one hour. Based on the timing of Officer [redacted] observations and the time of the call to Officer [redacted] it would have been impossible for him to have been home in [redacted] for an hour prior to the call.

Sergeant [redacted] indicated in his memorandum to Lieutenant [redacted] that he believed Officer [redacted] was intoxicated at the time of the call and believed that he was lying and being deceptive saying he was at home at the time of the BOLO. Sergeant [redacted] had supervised Officer [redacted] that evening on the second shift and noted that he allowed Officer [redacted] to leave work at 2250 hrs. because [redacted] indicated he was tired and wanted to get home to rest. It is apparent that Officer [redacted] may not have gone directly home as he had stated prior to going off-duty.

I checked IMC cross agency to see if any other agencies had contact with Officer [redacted] on the night in question. I found that North Kingstown Police had him listed on 6/30/14 as an "Intoxicated Subject" referencing [redacted]. I contacted North Kingstown Police Captain [redacted] and obtained a copy of the report. The report indicated that on 6/30/14 at 0404 hrs. NKPD Officer [redacted] located Officer [redacted]

... asleep in his vehicle parked near the Enterprise Rental lot at 6980 Post Road. After making contact with him it was determined he was intoxicated. Officer then contacted his wife and he was eventually released to her custody. There were no criminal charges filed but the incident was documented in a report.

The actions of Officer() are concerning and looking at the minimal facts given I believe he violated the following sections of Operational Policy 310.03 Professional Conduct:

C. Supervisors/Ranking Officers

1. Every employee shall accord respect to all supervisors at all times and shall refrain from critical or derogatory comment about them or orders received from or issued by them.

F. Other

11. Sworn personnel, whether on or off duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior and shall not commit any act tending to bring reproach or discredit upon the department.

I am recommending an internal investigation be conducted and all necessary requirements be followed in accordance with RIGL Title 42 Chapter 42-28.6 Law Enforcement Bill of Rights. The investigation will be for non-criminal administrative violations of the South Kingstown Police Department.

South Kingstown Police Department

Memorandum

To: Officer [redacted]
From: Chief Vincent Vespia
Subj: Suspension
Date: August 7, 2014

Pursuant to the Memorandum of Agreement executed this date acknowledging your violations of the Rules and Regulations of this department. The following sanctions were agreed upon and are imposed as follows:

You are suspended from duty without pay for a period of eight days. Those dates are August 10, 13, 15, 16, 19, 20, 21, and 22, 2014.

Additionally you are placed one year's probation commencing on the date the Memorandum of Agreement was executed (August 7, 2014).

You will also comply with item #4 of the Memorandum of Agreement.

By order of:



Vincent Vespia
Police Chief

MEMORANDUM OF AGREEMENT

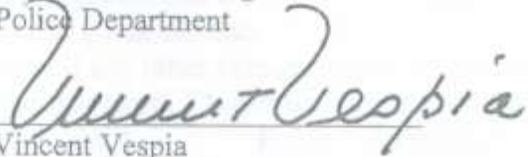
WHEREAS Officer [redacted] has received written notice by the South Kingstown Police Department that he is presently under investigation for possible violations of the Rules and Regulations of the South Kingstown Police Department pertaining to an incident which occurred on June 30, 2014, and

WHEREAS Officer [redacted] and the South Kingstown Police Department are desirous of resolving this matter without resort to the notice and hearing procedures contained in R.I.G.L. 42-28.6, the Law Enforcement Officers' Bill of Rights, Officer [redacted] and the South Kingstown Police Department hereby agree to the following disposition of the matters referred to above:

1. That Officer [redacted] hereby waives his right to a hearing pursuant to 42-28.6, the Law Enforcement Officers' Bill of Rights regarding the incident referred to above.
2. That Officer [redacted] shall be suspended from duty without pay for a period of two (2) weeks (eight (8) working days), to be served on dates determined by the Chief of Police.
3. That Officer [redacted] shall be placed in a probationary period of one (1) year, commencing on the date of execution of this agreement.
4. That Officer [redacted] shall enroll in, and successfully complete an alcohol treatment/counseling program to be administered by Mr. [redacted] LMHC. Officer [redacted] shall execute a release of information attached hereto as "Attachment A" authorizing Captain [redacted] to periodically speak to Mr. [redacted] regarding the progress of Officer [redacted].
5. In the event of a future alcohol related incident or other serious violation of the Rules and Regulations of the South Kingstown Police Department during the probationary period referred to in paragraph three (3) above shall subject Officer [redacted] to further disciplinary action up to and including removal from the South Kingstown Police Department.

Signed on this, the 7 day of August, 2014.

Town of South Kingstown
Police Department


Vincent Vespa
Chief of Police



Officer [redacted]

Dated: 8/7/14

Dated: 8-7-14

South Kingstown Police Department

Memorandum

To: Chief Vespia

From:

Subj:

Date: 3/2/15

On 2/25/15 I received a memorandum from [REDACTED] in response to my request for information about his knowledge of running a license query on a [REDACTED] on January 10, 2015. I have enclosed a copy of his response to me and it stated that he gleaned information from a confidential informant about [REDACTED] possibly purchasing/using narcotics in South Kingstown. He acknowledged performing a check on [REDACTED] to ascertain any recent activity in South Kingstown but found none. Officer [REDACTED] indicated that his informant is a private investigator but did not disclose his name. Officer [REDACTED] did not state whether or not he provided the information directly to the investigator. The information we obtained from [REDACTED] of Providence PD included a picture of the RILETS license query of [REDACTED] that was possibly sent via a cell phone. The screen shot of the inquiry shows an ORI of RI0050328 run on 1/10/15 at 0016 hrs. [REDACTED] has spoken to [REDACTED] and he verbally indicated that particular ORI was allegedly used by Officer [REDACTED] via his police cruiser computer.

I am concerned about the potential release of information to a private investigator. Was this information provided in exchange for money? I am also concerned with Officer [REDACTED] untruthfulness as it relates to the memorandum and his involvement with this incident. At this time I am suggesting that a formal IA Investigation be instituted and follow up begun by [REDACTED]

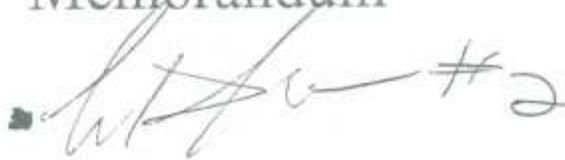
Respectfully,

[REDACTED]

South Kingstown Police Department

Memorandum

To: Memo to File
From:
Date: March 12, 2015

Handwritten signature and initials, possibly "L. J. #2", written in black ink.

On Thursday, February 12, 2015, late in the afternoon, I received a call from _____ of the Providence Police Department. The _____ advised me that he was investigating one of his officers for obtaining NCIC information for a private investigator by the name of _____. He said he was calling this department because he had information (screen shot) that a South Kingstown officer had also obtained information for this private investigator. On that date and time, I was leaving for two days off so I gave the information to _____ to follow up. The Captain was notified because he was going to be in the next day and it involved a police officer on the third shift.

South Kingstown Police Department

Memorandum

To: Vincent Vespa, Police Chief
From: [redacted], Lieutenant Detective
Subj: [redacted] Interview
Date: March 17, 2015

This memorandum will memorialize the interview I conducted with [redacted] on March 17, 2015 upon your direction. The interview was conducted in interview room #2 located within the detective division at police headquarters. The interview was conducted during Ptlm [redacted] regular duty shift at about 0630 hours. It must also be noted the entire interview was surreptitiously recorded on a hand-held audio recording device and said recording has been memorialized and copied onto a CD-R disc.

At the commencement of the interview Ptlm [redacted] was advised as to the reasoning for the interview and he was asked to review both memorandums he authored relative to this matter. Ptlm [redacted] inquired if he was being brought up on charges to which I answered in the negative stating the purpose of the interview was to gauge the truthfulness and accuracy of the memorandums he authored.

At this time Ptlm [redacted] did admit that he "lied" in his memorandums and that he shared the information gleaned in the RILETS query of Mr. [redacted] with his friend, and private investigator, [redacted]. Ptlm [redacted] admitted he share the information with [redacted] via text messaging. Ptlm [redacted] also admitted that he memorialized the information by taking a photo with his cellular phone and sending the photo to [redacted]. I showed Ptlm [redacted] the photo of the "screen shot" of the RILETS query obtained from Providence Police and [redacted] could not positively identify the photo as the one he took claiming he was "not sure". Ptlm [redacted] stated he did not receive any compensation for divulging this information and [redacted] claims this is the only time he has engaged in this activity.

Ptln. [redacted] posed many questions to me as to what sanctions he would be facing as a result of his behavior. I advised Ptln. [redacted] that disciplinary action is decided by the Chief of Police and that the Chief would be in contact with [redacted] regarding the next course of action. Ptln. [redacted] categorized this incident as a "lapse of judgment". The duration of the interview was approximately 13 minutes.

Respectfully,

A handwritten signature in black ink, appearing to be "P. [redacted]", written over a horizontal line.

South Kingstown Police Department

Memorandum

To: Officer _____
From: Chief Vincent Vespia
Subj: Suspension and Probation
Date: March 23, 2015

I have reviewed the reports associated with your improper accessing the RILETS System and the dissemination of the information gleaned to an unauthorized person. I have also reviewed the two memorandums you were directed to write explaining the reasoning and circumstances upon which you accessed the RILETS information. Both memorandums, generated by you were purposely deceptive and designed to cover up your improper conduct. At my direction you were interviewed by _____ at which time you acknowledged your deception and the lies contained in these memorandums.

Your conduct is a clear and intentional violation of the following department protocols:

- 310.03 Professional Conduct
 - IV Procedure
 - F. Other
 - #7, #8, #11
- 450.19 Use of RILETS, NCIC Computer Systems
 - III Procedures
 - D. System and Network Activities
- Rules and Regulations
 - C. Required Conduct
 - #16 Department
 - #46 Truthfulness
 - D. Prohibited Conduct
 - #10 False Official Report
 - #26 False Reports or Entries

Your professional conduct in this matter is reprehensible and discredits, not only you, but the entire police department. By your own admission you have effectively blemished, if not destroyed, your personal creditability as a police officer. In addition to the department sanctions imposed herein I am obligated under federal law to provide the information of these infractions to the Attorney General and/or defense attorneys whenever you are called to testify in any court proceeding. So that you understand the implication of this requirement your conduct in this matter will be used to impeach your creditability.

The facts are not in dispute and the following sanctions are imposed for the violation of:

Violation of 450.19 RILETS – D. System & Network Activities

and

Violation 310.03 Professional Conduct – IV Procedure “F”, Section 7, 8, 11 and Department Rules and Regulations C. Required Conduct #16 Department, #46 Truthfulness and d. Prohibited Conduct, #10 False Official Reports, #26 False Reports and Entries

Two week suspension without pay on the following dates: March 28, 29, 30, 31-April 3,4,5,6.

Following this suspension you are placed on probation for a period of six months.

A copy of this suspension directive is placed in your Personnel File.

By Order of:

A handwritten signature in cursive script that reads "Vincent Vespa". The signature is written in dark ink and is positioned above the printed name and title.

Vincent Vespa
Police Chief

South Kingstown Police Department Memorandum

To: Chief Vespia
From: _____
Subj: Officer _____
Date: 5/05/15

On 5/5/15 Detective _____ informed me that he had received a call from _____ nephew is URI Basketball Forward _____ confided in his uncle about text messages he received from Officer _____. Apparently Officer _____ had recently been dating a _____ Officer _____ recently found out that she had also been dating _____ and has since terminated the relationship because of this affair. _____ sent Detective _____ screen shots of the text messages (included). The messages were as follows:

7:06 PM unknown date- Officer _____ "I wouldn't want to be you..."
_____ "What?"
Officer _____ "its game time"
_____ "What's the problem?"

10:00 PM unknown date - Officer _____ "It's game time"
_____ "What's the problem?"
Officer _____ "Transferring is a great idea lol"

10:48 PM unknown date- Officer _____ "I wouldn't want to be you..."
_____ "What?"
_____ "???????"

At this time Mr. _____ does not wish to file a formal complaint but is upset about the actions and perceived threats texted by Officer _____. I have emailed Detective _____ and advised that the situation will be handled immediately. It is my suggestion that we interview Officer _____ and advise him against any further texts. His conduct is clearly a violation of South Kingstown Rules and Regulations Section C: Required Conduct sub section 16. Department. I am also concerned that any continuance of texts towards _____ may result in a violation of RIGL 11-52-4.2 Cyberstalking and Cyberharassment Prohibited.

I am including copies of all supporting documentation for your review.

IA FILE

South Kingstown Police Department

Memorandum

To: Officer
From: Chief Vincent Vespia
Subj: Documented Verbal Reprimand
Date: May 6, 2015

On May 5, 2015, you met with the Command Staff of this department to discuss documented information that you recently sent text messages to a URI student that could be perceived as threats. The genesis of the issue arises from an apparent social relationship the URI student has entered into with a female acquaintance of yours. During our meeting you acknowledged that the facts are not in dispute and your conduct, should a formal complaint be received from the URI student, represented a violation of the Rules and Regulations of this department (Required Conduct – Section 16 – Department) as well as cyber harassment in violation of RIGL. In discussion with the URI student he has indicated that a formal complaint will not be forthcoming and he would like the matter handled administratively.

Accordingly, you have been verbally admonished and directed to cease and desist from any further contact with the URI student. The full report of this matter is filed with the IA reports. This memorandum represents a documented verbal reprimand and is filed in your Personnel File.

By Order Of:


Vincent Vespia
Police Chief

South Kingstown Police Department

Memorandum

To: Chief Vespia
Cc: _____
From: _____
Subj: Allegation of Sexual Harassment in the workplace
Date: 4 Jun 2015

I am in receipt of a written complaint from _____ within which is detailed her uncovering of a pencil drawn diagram of what is believed to be male genitalia. This piece of paper was very neatly and purposely left at the bottom of a very small pile of scrap paper left on the Control side of Dispatch.

_____ uncovered this drawing when she was seated at her work station on the morning of 4 June. I directed her to author a memo and then asked if she knew who worked at the work station in the shift prior to her assignment. I was advised that _____ was assigned to this post on third shift prior to and that PO _____ and PO _____ were both assigned to this post on the 2nd shift the day before. Dispatch records do not indicate who covered any potential desk relief on either shift.

As a side note, the dispatch attendance for second shift does not have anyone assigned to the second dispatch seat vacated by the absent dispatcher _____. The information is however available on a separate dispatch log and is attached with this memo.

I have turned over the original questionable document within a sealed paper bag. On the face of this bag I recorded my receipt of this document and the fact that it was turned over to the Chief of Police and ultimately _____ following my verbal request that it be processed for finger prints. This transfer took place at 09:30 on 4 June.

My recommendation is that all employees that worked that station be spoken to and advised of the Harassment in the Workplace policy CH2-230.03. This type of activity is strictly prohibited within SKPD Policy 230.03 sub III A 4 entitled "Prohibited activity": The displaying of materials or images that are sexually revealing, suggestive, demeaning or pornographic (intentional or otherwise) is prohibited.

I feel it is my duty to forward this complaint pursuant to this policy and attach a possible recommendation for disposition. I also realize that it is ultimately your responsibility and that the final authority is yours sir.

Respectfully;

South Kingstown Police Department

Memorandum

To: [REDACTED]
From: Dispatcher [REDACTED]
Subj: Dispatch Work Station
Date: June 4, 2015
Cc:

[REDACTED]

I sat on control side this morning and proceeded to set up my work station as I do each day. Several pieces of scrap paper that we use for note-taking for calls were on the desk area. When I picked them up, I came across a pencil drawn picture of a penis on the bottom of the pile.

I don't believe this picture was intended for me and it may have been left there as a harmless prank for someone else. However, I found this picture to be highly offensive. This room is used by many females throughout that day and night and this showed a level of disrespect for all of the females working here.

If you discover who left this, I would appreciate an apology.

[REDACTED]

South Kingstown Police Department

Memorandum

To: Office _____
From: Vincent Vespia, Police Chief
Subj: Offensive Illustration- One Day Suspension
Date: June 10, 2015

On June 4, 2015 a pencil drawing of a male penis was found by a civilian employee at a workstation in Dispatch. The matter was promptly reported through the Chain of Command as the illustration was highly offensive and its placement within the Public Safety Facility is in clear violation of this department's Standing Order (CH 2-230.03) "Harassment in the Workplace". During the internal review and in response to a department wide query of the genesis of the offensive illustration, you, to your credit, came forward and acknowledged culpability in the drawing and placement of the offensive illustration. You generated a memorandum indicating your remorse, humiliation, and embarrassment over your actions. As clearly articulated in the Department's Standing Order conduct such as yours is considered misconduct that is also a prohibited form of discrimination under state and federal employment law. It cannot and will not be tolerated and a sanction is warranted.

A review of your Personnel File reflects that you received _____ on October 13, 2011 and _____ on November 27, 2011 for two previous infractions. Following the concept of Progressive Discipline and consistent with the LEOBOR when the facts are not in dispute summary punishment is warranted. Accordingly, you are suspended for one day without pay on Monday, June 15, 2015. A copy of this directive is placed in your Personnel File.

By Order Of:



Vincent Vespia
Police Chief

To:

vvespia@skpd.org

Subject:

Harassment in the workplace

I am in receipt of a harassment complaint that is sexual in nature. A hand drawing depicting male genitalia was located within Dispatch on the morning of June 4, 2015. This drawing was mixed in with pieces of scrap paper on the control side of the Dispatch console. The drawing is in clear violation of SKPD Policy 230.03, section III, subsection A, number 4 (Prohibited Activity). As a result, an internal investigation has commenced to identify the creator of the drawing. The drawing was processed for latent prints and several latent prints of comparative value were developed and enhanced. I am requesting the creator of this drawing come forward and take responsibility for their actions. If not, the investigation will continue and the enhanced fingerprints will be processed for identification. I ask that all correspondence be forwarded to the Captain of Operations relative to this matter.

Respectfully,


South Kingstown Police Department

1790 Kingstown Road

South Kingstown, RI 02879

Tel: 401-783-3166 ext. 314

Fax: 401-783-8139

abucco@skpd.org



SUPPLEMENTAL NARRATIVE FOR PATROLMAN []

Ref: []

On September 21, 2015 at approximately 0230 hrs., I responded to McDonald's Restaurant located at 140 Old Tower Hill Road to take a voluntary witness statement from [] who is an employee at McDonald's.

The following information was derived from [] statement...

On September 14, 2015 during the early morning hours, [] observed a group of young adult males go through the drive thru in a black SUV. [] stated that the group of males drove through the drive thru to order food. While at the drive thru window, the male subject sitting in the driver side rear seat started making rude comments and made a comment about his "dick". The male passenger was described as a heavy set white male with curly hair who was wearing a black tank top. After the black SUV left the drive thru, the vehicle later returned to order ice cream and the male parties continued to be rude while in the drive thru. After the black SUV left the drive thru, the male parties in the vehicle got in to an altercation with an Uber driver in the parking lot. [] stated he did not go outside to witness the altercation that took place, but did see it on the surveillance footage from inside the McDonald's. [] also stated that neither him or any employees called 911.

Ref: [REDACTED]

09/21/2015 0301

At approximately 0230 hours I responded to McDonalds Restaurant to follow up with the employees who were working when the involved suspects were served at the drive-thru. I obtained a written statement from employee [REDACTED]

[REDACTED] stated that a large car with about four people came through the drive-thru. She stated that they were being loud and rude. She was unable to recall what they had said. She refused to serve them and they left the drive-thru. Approximately 20 minutes later they returned. She stated the rear driver's side passenger ordered an M&M Mcflurry. She stated he was the main offender, and the driver kept telling him to be quiet. He was changing his voice and being immature when ordering. She described the rear passenger as being a male with long hair.

[REDACTED] was the rear driver's side passenger. He was the only occupant with long hair and was eating a McFlurry upon my arrival.

NARRATIVE FOR _____

Ref: _____

On Thursday, 09-17-2015, at approximately 2315 hrs., _____ responded to SKPD to complete a written statement in regards the the incident that had occurred at McDonald's restaurant on 9/14. _____ was led to my office and the following information was derived.

_____ stated he met his friend, _____ at the McDonald's restaurant at approximately 0130 hrs. He stated they had food and then went outside while they continued their conversation while standing near _____ transit van parked in the parking lot. _____ stated that at approximately 0215 hrs, he observed a black GMC Terrain with Connecticut license plates exit the drive thru lane and approach his location. He observed that the vehicle's windows were down and the vehicle was occupied by several males, later determined to be four males. As the vehicle passed, the rear seat driver's side passenger started yelling insults, profanities, and instructions at them. The rear seat passenger, later identified as _____ said, "get back in your van, get back in your gay wagon." They also said, "don't look at us, look away." _____ stated that that he and _____ were the only two in the parking lot so the occupant of the GMC had to be speaking to them. _____ stated that the vehicle stopped for less than a minute and as it started to pull away, the rear passenger said, "Bang, Bang!" _____ stated that he felt threatened by that and he and _____ discussed it. _____ was certain that he heard the rear seat passenger say this and he was also certain that it was not attributed to any loud music. He described the passenger as a white male.

_____ stated the vehicle then came to a stop facing west and stayed there for several minutes. _____ stated that everytime he would glance over at the car, the back seat passenger(_____) would yell at him. The vehicle then pulled onto Old Tower Hill Rd and then he briefly lost sight of it. He decided to contact SKPD, mainly because he felt threatened by the "Bang, Bang" comment.

Before he completed his call to the police, the GMC returned to the parking lot again. The occupants of the vehicle did not engage them at this time and the vehicle entered the drive thru. Ptlm. _____ then arrived on scene. He made contact with the complainants and obtained a description of the vehicle in question. He quickly located the vehicle in the drive thru and decided to wait until the vehicle left the drive thru to initiate contact. As the vehicle cleared the drive thru and before it was stopped by Ptlm. _____ the GMC passed by the complainants again and _____ yelled, "fuck you!" Ptlm. _____ then stopped the GMC.

After a few minutes, Ptlm. _____ spoke with the complainants and they advised him what the rear seat passenger had said. _____ stated he was not asked to complete a written statement but that he thought he may have offered to Ptlm. _____ to complete one but the offer was declined. Ptlm. _____ and the other officers continued conversing with the GMC's occupants as _____ watched from nearby.

After the GMC and it's occupants were allowed to leave the scene, Ptlm. _____ returned to _____ to advise him what had been decided. _____ stated that Ptlm. _____ reported that all four of the occupants were members of the _____, three of them were starters, and that all four were on scholarships. Ptlm. _____ told him that the head football coach was "a good friend of his" and he would be contacting the coach at 0700 hrs. Ptlm. _____ said that the coach would not be happy and would deal with them in his own way. _____ felt this was an acceptable resolution at the time because he had respect for Ptlm. _____ but the more he thought about it, he felt that it became less acceptable. _____ stated that he would have provided a written statement and pressed charges had he had the opportunity to have done so. _____ feels that the way _____ acted should result in a stripped scholarship.

At approximately 0205 hrs., _____ responded to SKPD to provide a written statement. The following

NARRATIVE FOR

Ref: _____

information was derived. _____ also identified the back seat passenger, believed to be _____, as the one yelling at them and saying, "bang, bang". _____ seemed to remember that the vehicle had made three passes by them and was stopped by Ptlm. _____ on the third pass. He indicated that Ptlm. _____ did not ask them to complete a written statement but instead advised he was letting the subjects off with a warning because he knows the coach at URI and that the coach would be contacted. _____ stated that that resolution was ok with him. _____ stated that he did not see a weapon deployed at any time and he indicated that he was carrying a Walther P-99 pistol, .40 cal. _____ showed me his valid permit issued by Chief Vespia. _____ stated that had the BB gun been pointed at him she surely would have fired his weapon in retaliation. Grussi also confirmed that _____ yelled "Fuck you!!", and possibly "Fuck off!" as well just prior to Ptlm. _____ traffic stop.

09/18/2015 0200 hrs. I responded to McDonald's to speak with some employee's who may have been on duty that night. I was advised that a female named _____ was on duty that night and would be on duty again on Saturday, 9/19, and the manager on duty that night _____ would be on duty on Sunday, 9/20.

09/20/2015 0230 hrs. I responded back to McDonald's in an attempt to speak with _____ and was advised that she was not on duty but the manager _____ was. I spoke with _____ and he identified himself as _____. _____ stated that the males in the vehicle came through the drive through and the back seat passenger, a large white male believed to be _____ was acting rude and obnoxious but the occupants never exited the car or acted in a violent, threatening, or tumultuous manner. He stated they were acting disrespectfully and condescending but he felt it was typical entitled college student behavior. _____ stated that neither he or any staff members contacted SKPD. This was confirmed by a check of the Dispatch log which shows only _____ call.

09/21/2015 0300 Ptlm. _____ and Ptlm. _____ responded to McDonald's to obtain written statements from the McDonald's employees. The statements are attached. In addition, Ptlm. _____ obtained the information on how we could get a copy of the surveillance should it be necessary. _____ was actually identified as _____.

South Kingstown Police Department

Memorandum

To: Officer _____
From: Vincent Vespia, Police Chief
Subj: Incident # _____, Call # _____ - One Day Suspension
Date: October 2, 2015

I have completed my review of the above identified police report as well as the internal investigative reports as to the manner in which you conducted the department's investigation of this matter. The record includes your memo of September 22, 2015 to _____, _____ which you acknowledge that you handled the "situation poorly" and you cite inexperience as a possible contributing factor. If there is one element of your duty that you certainly should know by now is that there is a supervisory chain of command available to you at all times to assist in your decision making. The record is clear you did not seek OIC assistance and if you did this matter would have been handled properly.

The fact that you did not recognize that an air pistol or so-called BB gun is classified under RI Law as a firearm defies logic – that combined with the fact that an individual had possession of the firearm and carried it in his waistband is a clear violation of law and an arrest should have occurred immediately. That firearm was seized by a brother officer who responded to assist you and placed it in your patrol car. You actually removed the firearm from your patrol car and returned it to its owner before releasing him from custody. That sequence of events by a police officer sworn to enforce the law is beyond comprehension and a dereliction of your responsibility. Your inaction in this matter could have resulted in a life threatening situation as the complaining witness was lawfully carrying a firearm and if confronted by the individual unlawfully carrying the weapon the result could have been tragic.

Your conduct in this incident represents a major infraction of your professional responsibility and requires a sanction. Your personnel file is comprised of a reprimand you received in May of 2015 for an infraction of this department's rules and regulations and consistent with progressive sanctions I am imposing a one day suspension without pay on Wednesday, October 14, 2015. Additionally, you will be directed to attend a counseling session to further discuss this matter.

A copy of this suspension notice will be placed in your personnel file.

By order of:



Vincent Vespia
Police Chief

Ref: [redacted]

On March 20, 2010, Officers [redacted] and [redacted] were working an alcohol enforcement detail, which started at 11:00 PM and was to end at 3:00 AM. The officers were dressed in plain clothes and were driving an unmarked detective car (Chevrolet Impala).

The alcohol enforcement detail is a special assignment funded through MHRH. Officers who work this detail are charged with enforcing RIGL's which pertain to liquor law violations involving underage drinking.

On March 20th, at 1:23 AM, [redacted] received a call from South Road resident, [redacted] requesting officers to respond to the South Road School for two vehicles doing "donuts". At 1:25 AM, Mr. [redacted] called back stating that both vehicles left the area at a high rate of speed north on South Road. [redacted] informed [redacted] that the information would be relayed to the responding officer.

Sometime between [redacted] first call at approx. 1:23 AM and his second call at approx. 1:25 AM, [redacted] came on the radio stating that their unmarked police vehicle had been struck and [redacted] was involved in a physical altercation with a resisting subject. (Note: [redacted] radio transmission was not recorded on the Dictaphone; therefore, the approximate time of her 1:24 AM radio transmission was gleaned from the police reports and radio transmissions).

Prior to [redacted] radio transmission at approx. 1:24 AM, both [redacted] and [redacted] state in their police reports that while driving north bound on Rte. 108 (Kingstown Road) in the vicinity Amos Street they decided to respond to South Road School for a report of vehicles doing "donuts" at the school. (Note: the officers were not dispatched to this call, but rather responded after hearing it dispatched to the area patrol car). At this time, Officer [redacted] was the driver of the vehicle and Officer [redacted] was the front passenger. While driving north bound on Kingstown Road, Officer [redacted] passed the vehicle in front of his vehicle, which according to the officers was travelling at approximately 20 mph. The officer did pass the vehicle in a no passing zone (double yellow lines) without utilizing the emergency lights or siren.

Both Officers' [redacted] and [redacted] state that the vehicle they passed sped up and began tailgating their car while intermittently flashing the high beams. The officers took a left turn onto Kersey Road as the other vehicle continued to tailgate flashing its high beams. Officer [redacted] states that he could hear the operator of the vehicle yelling "you fucking asshole, I'm gonna kill you". The officers then slowed and pulled their vehicle to the side of the road when the tailgating vehicle struck the rear end of the police vehicle. (Note: both vehicles sustained small scratches indicating a low speed contact). Once stopped, Officer [redacted] exited his vehicle and approached the driver of the other vehicle. Officer [redacted] states that he immediately identified himself as a

Ref: _____

police officer by presenting his badge and identification to the operator, later identified as _____ while asking for his drivers' license. Officer (_____) states that Mr. (_____) refused to produce his license while yelling "Fuck you, I'm not showing you shit you fucking asshole", "What the fuck are you gonna do about it" and "I'll fuck you up". Officer (_____) states that by the time she got to the passenger side of _____ vehicle, she could hear Officer (_____) asking the driver to exit the vehicle. Officer (_____) states that he opened the driver's door and attempted to remove Mr. _____ from the car, however, _____ resisted by pulling himself back into the vehicle. Officer _____ also states that Officer (_____) attempted to physically remove (_____) out of the car, but was unable to do so. Officer (_____) states that he informed _____ that he was under arrest and then instructs him to remain in the vehicle, however, _____ replies "fuck you" and attempts to get out the vehicle pushing the drivers' door into Officer (_____) then took a "fighting stance", pushed Officer (_____) in the chest, and took a swing at his head with his right hand. Officer (_____) then attempted to take (_____) to the ground as _____ resisted by struggling and punching. Officer (_____) said that she "ran over and attempted to separate the two but was unsuccessful". She then returned to the car and radioed dispatch of the situation.

The QIC, Sgt. _____ responded on scene shortly after hearing Officer (_____) transmission. Once on scene, Sgt. (_____) observed Officers (_____) in the process of restraining and placing Mr. (_____) into custody. Sgt. (_____) observed that (_____) had a bloody nose and a cut on the head, therefore, summoning a rescue. Rescue personnel responded, examined Mr. (_____) and indicated that his injuries did not require hospital attention. Mr. (_____) also declined any further medical attention. Mr. _____ was arrested for violating RIGL's disorderly conduct, resisting arrest, and simple assault. He was transported to the station, processed, and released with a summons.

On March 25, 2010, Chief Vespia directed the IAU to review possible violations of rules, regulations, and department policies surrounding the arrest of (_____) .

In reviewing the departments rules, regulations and operating policies, it is clear that Officer (_____) actions were contrary to operational policy, titled: Officer Call Response Protocol (450.09) and operational policy, titled: Disorderly Conduct (450.02).

DEPARTMENT FORM

Ref: _____

The "Officer Call Response Protocol" was violated in the following manner: Officer _____ and Officer _____ passed a vehicle in a no passing zone in order to respond to a priority three call, which they were not dispatched to. According to the policy, a priority three call prohibits an officer from responding in excess of the posted speed limit and requires obedience to all motor vehicle laws. It is clear that a vehicle doing donuts in the parking lot of a closed school in the middle of the night would require a priority three response and nothing more. The "Disorderly Conduct" operational policy was violated in the following manner: Officer _____ states that Mr. _____ used very strong profane language after he passed the unmarked police car as well as after he approached _____ asking for his drivers' license. The policy clearly states that due to a police officers experience and training, officers are expected to attempt to defuse verbal confrontations. Moreover, rather than escalate a situation when a person is using profane speech toward an officer, the officer should de-escalate the situation.

In this case, Officer _____ did not follow the policy when he approached an angry man using profane language. Officer _____ states that after identifying himself as an officer and asking for a driver's license, _____ went on a profane laced diatribe to include a verbal threat of harm. Rather than escalating the situation by reaching in the car and grabbing _____ in an attempt to physically pull him out of the car, he should have sought other avenues to de-escalate the situation. The question is; what crime did _____ commit at that time that would have warranted an officer to physically grab him and pull him from his vehicle? Did he grab him to place him under arrest for shouting profanities or was it for striking the rear of the unmarked police vehicle? Given the facts presented, neither scenario would warrant a custodial arrest by Officer _____.

It is the recommendation of the IAU, that Officer _____ be reprimanded according to progressive disciplinary action for not performing within the departments' response protocol and disorderly conduct operation policy.

It is the recommendation of the IAU that Officer _____ review the department's response protocol and receive a verbal counseling on this matter.

South Kingstown Police Department

Memorandum

To: _____
From: Vincent Vespia, Police Chief
Subj: Suspension
Date: November 5, 2015

All aspects of your response to Call number _____ resulting in your involvement in accident number _____ causing total damage to police vehicle 402 has been investigated by your Patrol Commander and the Administrative Staff of the South Kingstown Police Department. A component of this investigation and review were counseling sessions with _____ and _____ and your acknowledgement that the manner of your actions constituted a violation of this department's Officer Response Protocol 450.09. The facts are not in dispute and the investigative reports clearly indicate the operation of your police vehicle far exceeded the appropriate response as defined in department policy and the provisions of RIGL as it relates to emergency response.

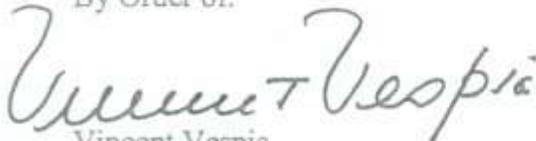
In a memorandum addressed to _____ dated November 4, 2015, you accepted responsibility for your actions and to the sanctions proposed for these infractions. Accordingly, the following sanctions are imposed:

You are suspended from duty without pay on the following dates:
November 16, 17, 18, 19, 22, 23, 24, 25

Additionally, you are placed on Probation for a period of six months following the day of your return to duty.

A copy of this order is placed in your personnel file.

By Order of:



Vincent Vespia
Police Chief