



☎P-401-767-9201 F-401-769-8712

✉ mmarcello@woonsocketri.org

CITY OF WOONSOCKET, RHODE ISLAND
LAW DEPARTMENT

March 3, 2016

[REDACTED]

RE: Woonsocket Police Internal Affairs Report Request

Dear Mr. [REDACTED]

Attached please find the City of Woonsocket's formal response to your open records request. We appreciate your courtesy in giving us an extension of time to which to respond to the same.

You will find the City's 10 last completed Internal Affairs reports. These reports have been redacted, pursuant to the Attorney General opinion Farinelli B. v. City of Woonsocket No. PR-15-17 (May 14, 2015). I have also provided you with a key for each report that indicates the category of name that had been redacted.

I thank you for your patience. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Michael J. Marcello, Esq.
City Solicitor

MM/ps

Enclosure

cc: Christina Duarte, City Clerk

Redaction Key:

15-12-IA

- 1 – IA Subject
- 2 – Witness/Other

15-13-IA

- 1 – IA Subject
- 2 – Witness/Other
- 3 – Witness/Other
- 4 – Witness/Other
- 5 – Witness/Other

15-14-IA

No redactions

15-15-IA

- 1- IA Subject
- 2 - Witness/Other
- 3 - Witness/Other
- 4 - Witness/Other

15-16-IA

- 1 - Witness/Other
- 2 – IA Subject
- 3 – IA Subject
- 4 – IA Subject

15-17-IA

Open

15-18-IA

- 1 – IA Subject
- 2 - Witness/Other
- 3 - Witness/Other

15-19-IA

- 1 - Witness/Other

- 2 – IA Subject
- 3 – IA Subject
- 4 - Witness/Other
- 5 - Witness/Other

15-20-IA

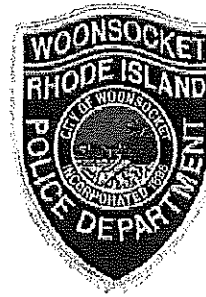
- 1 - Witness/Other
- 2 – IA Subject
- 3 – IA Subject
- 4 - Witness/Other

15-21-IA

- 1 – IA Subject
- 2 – IA Subject
- 3 - Witness/Other
- 4 - Witness/Other

16-01-IA

- 1 – IA Subject



INVESTIGATIVE REPORT

Case# 15-12-IA

Investigator: Lieutenant Edward Cunanan

Abstract:

On 09APR15 Officer [1] assisted Blackstone PD with an attempt to locate [2] who was wanted on an extraditable RI Superior Court warrant. It is alleged that Officer [1] did not have permission from his immediate supervisor, Sgt Ron Marcos.

On 13APR15, I received an e-mail from Uniform Captain Adam Remick requesting Internal Affairs to look into this matter. Per policy, I informed Chief Tom Carey of the incident.

On 17APR15, Chief Carey ordered an investigation.

I reviewed the memorandum from Sgt Ron Marcos to Capt Remick, dated 11APR15. Sgt Marcos indicated that he was the officer-in-charge of the Night Platoon on 09APR15, and that he denied Officer [1] request to assist Blackstone Police Department with an attempt to locate, saying "let Blackstone handle it." Later that evening he learned that Officer [1] had assisted Blackstone PD with the attempt to locate, despite his directive. (See full letter)

Officer McGourty

On 27APR15, I spoke with Officer [1] in the Internal Affairs office. Also in the room was Union representative Sgt. Matthew Ryan. I advised Officer [1] of his rights prior to the interview, to which he stated he understood.

I presented [1] with the allegations as documented in Sgt Ron Marcos's correspondence to Captain Adam Remick, dated 04/11/2015.

[1] confirmed that he was working (overtime) on Night Platoon on 09APR15, under the command of Sgt Marcos. He also confirmed that he had had a conversation with Marcos immediately after roll call regarding [2]. [1] told Marcos that Sgt Mike Villiard had asked him to check with Blackstone Police Department to see if they could pick up [2], who was wanted on an extraditable warrant out of Rhode Island Superior Court. [2] was reportedly staying at an address in Blackstone, Ma. According to [1], Villiard asked him to check with Blackstone because he knew [1] had personal contacts on the department. In the conversation [1] emphasized that the Attorney

General's Office wanted [2] picked up because of his active warrant for Domestic Felony Assault (with a hammer) and his violent history.

According to [1] Sgt Marcos response was to "let Blackstone handle it." However, [1] did not take this as a serious directive because of the context it was said in. He believed Marcos was joking with him because Marcos often jokes with him about creating work while on overtime. According to [1], he informed Marcos that Blackstone PD would only have one person on duty and that they would need help with this attempt to locate a violent person; Marcos disputed this, believing there were three officers on. According to [1], Marcos told him, "Why can't you just collect your overtime and keep quiet everyone else does." The conversation ended shortly after and [1] still believed that Marcos was only joking about "let[ting] Blackstone handle it."

At around 1930 hours, [1] met with Blackstone Police (Officer Blanchette) in the parking lot of Dunkin Donuts just over the Woonsocket/Blackstone line to give him the information that this department had on [2]. At that point Blanchette requested [1] assistance with the *Attempt to Locate*. Blanchette contacted his supervisor—Lt Gilmore—who purportedly asked if he had assistance from Woonsocket [1].

[1] said he called Marcos cell phone at that time, but there was no answer. The purpose of this call, according to [1], was to advise his supervisor that he was going to help Blackstone PD with the attempt to locate. Again, [1] did not believe Marcos was serious in their earlier conversation. After received no answer from Marcos, [1] called Dispatch and spoke with Terri Chattman; he let her know where and why he was with Blackstone and she pulled a call number.

[1] and Blanchette took [2] into custody without incident a short time later. [1] then responded to the office to retrieve some paperwork for Blackstone. At that time he saw Sgt Marcos, who asked him if everything went smoothly. According to [1] he was not upset and did not make any negative comments about the incident. In fact, he asked [1] to get a coffee for him on the way back from Blackstone. [1] returned to service at approximately 2030.

[1] told me that he received several calls from Sgt Marcos the next morning. In the first call, Sgt Marcos stated that the department had received a call from Blackstone Chief Astupenas, who was not pleased that [1] was in Blackstone. In a subsequent call Sgt Marcos told him that he didn't do anything wrong, and that if he had taken his call he would have allowed [1] to take part in the attempt to locate.

In our conversation Officer [1] emphatically maintained that he did not think Sgt Marcos was serious about letting Blackstone handle the attempt to locate. He told me that he would not deliberately disobey a direct order, even if he didn't agree with it. In this incident he did not recognize Marcos' communication in their conversation as a direct order.

Sgt Marcos

On 30APR15 I spoke with Sgt Marcos. He confirmed that he was the officer in charge on Night Platoon on 09APR30, and that Officer [1] was working under his command on overtime. He said he had assigned him to Beat 3—East Woonsocket.

According to Marcos, after roll call Officer [1] approached and asked him if he could assist Blackstone Police Department with an attempt to locate [2] in their town. Marcos response was to "let Blackstone handle it." They then got into a discussion about what mutual aid was and how many officers Blackstone had on duty. Sgt Marcos reiterated that he did not believe this was a mutual aid situation because it was a planned event and not an emergency

I brought up the assertion from Officer [1] that he believed Sgt Marcos was joking around with him about staying quiet while working overtime. Marcos responded that he had been joking around with [1] prior to roll call when he went out to the overtime posting, but he was not joking in the conversation about the attempt to locate. Marcos went on to state that he would not have gotten into a discussion about mutual aid and how many officers Blackstone had on if he were joking around.

Marcos, like [1], stated there were several other officers in the immediate area when this conversation was going.

At 1930 hrs Marcos received a phone call on his personal cell phone, but could not take the call because he was on the phone already. A short time later he heard Officer [1] call "Code 4" and that Blackstone had one in custody over the radio. This concerned Marcos, but he was busy with several pressing situations, so he did not speak about this issue with [1] immediately.

I informed Marcos about [1] assertion that he had come back to the station and saw Sgt Marcos, and Marcos asked if everything went smoothly. Marcos replied that this was a possibility. Then Marcos did remember the conversation and that he did ask [1] to get him a coffee on his way back from Blackstone.

Sgt Marcos told me that he did not pull [1] aside to speak about the incident and his concerns because it was a busy shift throughout.

In closing, Sgt Marcos reiterated that he instructed Officer [1] to, "Let Blackstone handle it," and does not believe it should have been interpreted any other way than a directive.

Sgt Villiard

Sgt Villiard advised me through a memo that he did give Officer [1] information about [2] warrants and possible whereabouts in Blackstone. He also informed him that the Attorney General's Office wanted [2] located because of the violent nature of his history and the warrants.

Sgt Villiard had no part in authorizing [1] to go into Blackstone.

Night Platoon Officers – 09APR15

According to records, the following officers were at the Night Platoon roll call in addition to Sgt Marcos and Officer [REDACTED]:

Andrew Girard
Dan Lajoie
Gabe Knoeczny
Justin Mowry
Jeff Gagnon
Sgt Max Ferrerria

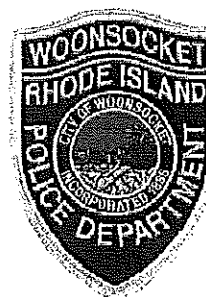
I spoke with each of these officers; all told me they did not hear any specific conversation between Officer [REDACTED] and Sgt Marcos immediately following roll call.

Officer Gagnon did tell me that while he did not recall anything specific, he did hear Sgt Marcos joking around with [REDACTED] about keeping "quiet" while working.

It is difficult for me to believe that these officers did not overhear the conversation, though I cannot prove it.

Findings:

- On 09APR15, Officer [REDACTED] did approach his supervisor, Sgt Ron Marcos, after roll call, and requested to assist Blackstone Police with an attempt to locate a violent suspect wanted on an extraditable felony warrant from RI Superior Court.
- Sgt Marcos direct response to this request was, "let Blackstone handle it."
- The context of these words is disputed by Sgt Marcos and Officer [REDACTED]
- Officer [REDACTED] maintains that he did not think Sgt Marcos's statement was a direct order to not assist Blackstone because Sgt Marcos had been teasing him about staying quiet while working on overtime.
- Sgt Marcos admits that he was joking with [REDACTED] prior to roll call, but maintains that his directive to "let Blackstone handle it" was clear.
- At around 1939 hours, Officer [REDACTED] did go into Blackstone, MA, to assist Blackstone Police take the wanted suspect into custody.
- Sgt Marcos was concerned about the incident when he heard [REDACTED] radio that he was Code 4 in Blackstone, however; he did not address the matter that evening.
- There were several other officers from night Platoon in the area, yet none provided any specific details about the conversation between Marcos and [REDACTED] right after roll call. One (Gagnon) did report that he overheard Marcos teasing [REDACTED] about creating work on overtime.



INVESTIGATIVE REPORT

Case# 15-13-IA

Investigator: Lieutenant Edward Cunanan

Abstract:

On 17MAY15 at 0247 hrs, Kennebunk (ME) Police Department responded to a fight in public in their town. During their investigation it was discovered that [1] was one of the involved parties.

On 20MAY15, I was advised about this incident by Uniform Captain Adam Remick. I was provided a copy of the Kennebunk report (15KEN-299-OF).

On 21MAY15, Chief Carey ordered an investigation into the matter.

Original Police Report

On 21MAY15 I reviewed the original report completed by Kennebunk Police Sergeant Christopher Russell.

According to Sgt Russell, units were dispatched for an assault in progress. Due to the distance from the scene, mutual aid was requested from Kennebunkport Police. Kennebunkport Police arrived on scene and found [2] on top of [1] with his arm pinned behind his back. Both were separated and secured.

Sgt Russell spoke with [2] on scene. Sgt Russell noted that [2] appeared to be "extremely intoxicated." [2] stated he was in town for his friend's [3] graduation party. He had gone out to some bars with a group from the party and at one point he was "investigating" a disturbance. He then became involved in a physical altercation with someone he did not know. [2] identified himself as an Augusta, ME Police officer, however; it was learned that he was only a recruit in the police academy.

Sgt Russell also spoke with [1] on scene. Sgt Russell reported that [1] was under the influence of alcoholic beverages, but not overly intoxicated. According to the report, [1] told Sgt Russell that he was in town for his cousin's [3] college graduation. A group from the party went out to a few bars and then returned to the condo. At one point [2]—a friend of [3]—started "flipping out" and started telling everyone that they were "under arrest." To humor the drunken

2, 1 and others got on the floor at his directive. Shortly after, the joking turned into a physical altercation when 2 tried to "handcuff" 1. 1 was unsure of what was going on and thought the 2 might be having some sort of psychotic episode.

The report does not indicate how the physical altercation moved outside the condo.

Sgt Russell notified this agency of the incident, and spoke with Sgt Glode.

Sgt Russell

I contacted Sgt Russell via e-mail on 21MAY15. I received a response on 24MAY15.

Sgt Russell reaffirmed the information from the original report. In addition he advised that he did have two witness statements for review.

In summation, Sgt Russell wrote:

"Based on the information I gathered that night, I feel that 1 was most likely put into a bad situation by 2." "I think 1 was trying to help his cousin when 2 began acting up, and I think 2 initiated the physical struggle."

I requested the statements and the video recording of 1 on scene interview.

Witness 4

I received a copy of 4 witness statement on 28MAY15. In it, 4 states the following:

She was driving out of the parking lot when she saw two men fighting. She asked if they were okay and the one at the bottom 1 said, "No, I am not ok!" 4 then called the police. While they waited for the police she said the one on top 2 kept saying he was arresting the other.

Witness 5

5 told police that he observed the two men wrestling, with one of them on the ground and unable to move his hands. He heard the one of the bottom 1 say he was not okay.

Dash cams

On 08JUN15, I received three dvds from Sgt Russell. There are no in-progress scenes; all show the investigative period after both 2 and 1 were separated and detained.

There are no close-up images of 1, but it appears through the audio that he is at least a little under the influence of alcoholic beverages; however, he is able to clearly articulate his version of events and respond to questions. 1 is respectful and cooperative with the officers through the footage.

[2] is also interviewed on the footage and there is a close-up of him in the rear of a cruiser. From his speech and appearance he appears to be very intoxicated. The investigators appear to be much more concerned about [2] physical condition than [1].

Everything that I observed on the recording reflected the content of Sgt Russell's report.

[1]

On 09JUN15 I spoke with [1]. He confirmed that he was in Maine to celebrate his cousin's [3] graduation from college. At one point in the evening they were in the condo when a friend of [3] [2] started acting very weird; he was pointing his cell phone around like a gun and tactically moving through the rooms. He started telling people they were under arrest and [3] said to him, "Just go with it." [1] played along with [2] but eventually [2] started grabbing and wrestling with [3].

The disturbance moved outside when [2] approached [1] and told him he was under arrest. [1] told him not to touch him, but the young man was persistent. [1] thought the whole thing was so strange that it seemed like PTSD. He allowed [2] to "handcuff" him (placed hands behind his back). [2] moved away, but when [1] moved his hands [2] came back and grabbed him. He put [1] into an arm bar and moved him to the ground. It was at this time when [1] yelled to witnesses. A short time later the police arrived.

[1] said he was cooperative with the officers and provided his identification as a police officer. He was detained in the rear of a cruiser for about 30 minutes and explained his version several times at request. [1] did not want to file an assault complaint against [2].

[1] admits to being under the influence of alcoholic beverages, but he was not intoxicated.

Findings

- On 17MAY15, [1] was in Kennebunk, ME, celebrating his cousin's graduation. [1] [1] was consuming alcoholic beverages, but did not appear to be intoxicated.
- At one point [1] was attacked and assaulted by Augusta police cadet [2] [2], who appeared to be heavily under the influence of alcoholic beverages and was acting very strangely.
- Both witnesses to this incident report [1] being assaulted by [2].
- Both Kennebunk and Kennebunkport Police responded to the assault. Neither [1], nor [2] was arrested or charged with a crime in this incident.
- The investigating officer, Sgt Russell, articulated that he believed [1] was put in a bad situation by [2]. [1] did not willingly engage in any public disturbance in this case; the incident was instigated by [2].
- [1] treated the investigating officers with respect and fully cooperated with their investigation.
- There does not appear to be any violations of policy and procedures, or rules and regulations.



Woonsocket Police Department
Investigative Report

Page: 1
02/23/2016

Case #: 15-14-IA

Date/Time Reported: 05/24/2015 @ 0800
Report Date/Time: 07/01/2015 @ 1023
Occurred Between: 05/24/2015 @ 0800
 And: 07/01/2015 @ 1024
Complaint Type: OTHER
Disposition: Closed/Unfounded

Reporting Officer: Lieutenant Edward Cunanan

Signature: _____

NARRATIVE FOR LIEUTENANT EDWARD M CUNANAN

Ref: 15-14-IA

Entered: 07/01/2015 @ 1024
Modified: 07/01/2015 @ 1024

Entry ID: EMC
Modified ID: EMC

Case# 15-14-IA

Investigator: Lieutenant Edward Cunanan

Abstract: The following is an internal audit of incoming calls to the department on three randomly selected dates in the month of April, 2015. All calls within one randomly selected hour from each shift were reviewed for compliance with department policy and procedure.

02APR15

Morning Platoon 0000 – 0100 (Dispatcher Riley)

Four calls were received and handled properly.

Day Platoon 1000 - 1100 (Flynn / McWhinnie)

Twenty-one calls were received and handled properly.

Night Platoon 1900 - 2000 (Chattman)

Fifteen calls were received and handled properly.

There was one instance which could have been handled better. After an armed robbery in our jurisdiction, Dispatcher Chattman attempted to notify surrounding agencies that one of our officers was in pursuit of the suspect. In these chaotic calls she appeared overly-excited, which negatively affected her performance. Additionally, it appears that she may have called the wrong agency on one notification (Plainville).

20APR15

Morning Platoon 0000 - 0100 (McWhinnie / Jalette)

Five calls were received and handled properly.

Day Platoon 1400 - 1500 (Roy)

Nine calls were received and handed properly.

Night Platoon 1800 – 1900 (Chattman / Joyce)

Seven routine calls were received and handled properly.

29MAR15

Morning Platoon 0700 - 0800 (Jalette)

Five calls were handled properly.

Woonsocket Police Department

NARRATIVE FOR LIEUTENANT EDWARD M CUNANAN

Ref: 15-14-IA

Entered: 07/01/2015 @ 1024
Modified: 07/01/2015 @ 1024

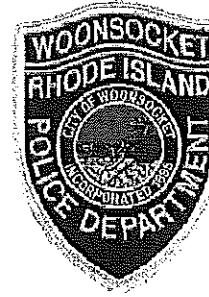
Entry ID: EMC
Modified ID: EMC

Day Platoon 1000 - 1100 (Flynn / McWhinnie)

Thirteen calls were handed properly.

Night Platoon 2100 - 2200 (Oldacre)

Seven calls were received and handled properly.



INVESTIGATIVE REPORT

Case# 15-15-1A

Investigator: Lieutenant Edward Cunanan

Abstract:

On May 29, 2015, [1] responded to 68 Lyman St. for a report of a suicidal male who was threatening to kill his girlfriend [3]. [1] encountered the male [2] outside the home and used a leg-sweep technique to take him to the ground. [2] asserts that this use of force was excessive and he was injured as a result.

On 08JUN15, I received an e-mail from Lieutenant John Picard, indicating that a complaint form had been left under my Internal Affairs door. I found a complaint form from [2] when I arrived to work at 0800 hours.

[2] indicated that he was injured in an altercation (on May 29th) with an officer and wanted him prosecuted.

I researched and printed the reports from the incident in question. I also made a copy of all phone calls and radio transmissions from the incident.

From [1] report:

On 29MAY15 at 1728, [1], Officer Justin Mowry, and Sgt Ron Marcos responded to 68 Lyman St for a report of a suicidal male who was threatening to stab his girlfriend. Dispatch advised the man was outside and provided a description of the vehicle he was in. [1] arrived first and saw the vehicle occupied by a male [2].

As he approached, [2] got out and started walking toward the apartment. [1] gave him several commands to stop and return to his vehicle, but [2] did not. [1] grabbed onto [2] in an effort to stop him, but [2] pulled away. At that time [1] executed a leg sweep and escorted him to the ground. Eventually, Officer Mowry arrived and they were able to place [2] in handcuffs.

[2] was not charged with a crime that day because [1] used discretion in not charging him with Obstruction and Resisting Arrest.

Sgt Marcos Report

According to his report, Sgt Marcos did not witness the physical altercation between [1] and [2]. Marcos did respond to a different location later in the shift because [2] was reporting that he got beat up by the police. A complaint form was given to [2].

Recordings

On 08JUN15, I reviewed the call from the fire department to the police. Dispatcher Messer reported the incident to Dispatcher Oldacre. She states clearly that the man is suicidal and threatening to kill his girlfriend, though no means is given. The description of the car is given as well. There is no mention of a knife or stabbing.

This information is dispatched immediately to [1] and Mowry by Dispatcher Oldacre. Sgt Marcos radios that he is responding as well.

Dispatcher Jessica Messer

On 09JUN15, I spoke with Fire dispatcher Jessica Messer. She recalled contacting the police regarding [2] on 29MAY15. Messer told me that [2] girlfriend [3] had called to request medical treatment for [2] because she was afraid he was going to hurt himself and had made threats to kill her. Messer relayed all this information to Dispatcher Oldacre at the police department.

[3]

On 9JUN15 I spoke with [3] over the phone. She told me the following:

She did call the fire department that day because [2] was acting very strange. She said he was "threatening" in his manner and yelling at her. [3] could not recall if she told the dispatcher anything about a knife. According to [3] [2] was walking around outside screaming. [3] was very afraid of what was going to happen that day, but she only wanted [2] to get medical attention.

[3] did not witness the altercation between [2] and the police.

[2]

On 09JUN15 at 1400, I spoke with [2] in the conference room at the police station. In a tape-recorded statement, he told me the following:

[on 29MAY15] he had gotten into an argument with his girlfriend [3] about use of the computer. At one point [2] told her she was leaving and went outside to sit in his car. A short while later he saw police arriving at the house. No one told him to get out of the car, but he thought it would be best so he did. He was holding his laptop computer and walking to the house when a police officer told him to drop the computer and show his hands. [2] refused because he didn't want to damage it and kept walking. He heard the officer tell him again to stop, but he kept walking away from him.

As he was reaching the steps the he felt an officer kick his legs out, and he fell on his ribs on top of the steps. The officer then put handcuffs on him tightly and said, "This is what happens when you don't listen to me."

A short time later, [Lt.] Picard [more likely Sgt Marcos] arrived on scene and asked if he was okay. Lt Picard later gave [2] a [complaint] form to fill out at the hospital.

[2] told me that he didn't know why the police were there. I informed him that [3] had called because she was afraid that he was going to hurt himself and that she was afraid that he was going to hurt her. I explained to him that if this was accurate then the officer would have a valid reason for not wanting to allow him to get into the home. He paused and then said he still felt what the officer did was excessive.

[2] produced an unsigned medical discharge form which indicated that he had "either bruised or broken ribs." I made a copy of this document with his permission. [2] also stated he suffered a bruise on his left hand from the handcuffs and a scrape on his right leg from the fall.

[1]

On 16JUN15 I spoke with [1] in the Internal Affairs office. Also present was Union representative John Scully.

[1] was afforded his Garrity Warnings, to which he stated he understood. He told me the following:

He was dispatched to a report of a suicidal male who was threatening to stab his girlfriend. (I informed [1] that there was no mention of stab or knife accurate according to dispatch records; he acknowledged that he could have been mistaken about that part—but not about the person threatening to kill his girlfriend) When he arrived he saw the vehicle in question across the street from the house, occupied by a male. [1] came from Harris Ave and actually passed the parked vehicle, before turning around and stopping behind it. As he got out of his cruiser [2] was walking away toward the house with something in his hand. [1] said he didn't know what it was (a laptop). [1] gave him several commands to stop, but [2] did not listen. [1] said it was very clear that [2] heard his commands because at one point [2] said to him, "You already have your hand on your gun so im not stopping." [1] understood that he could not allow [2] to get back into the house because of the threats to kill his girlfriend. He came up behind [2] and grabbed his arms as he went up the first two steps to the walkway. [2] started to struggle with him and pull away. At that point [1] used a leg sweep to take [2] down to the ground. [2] ended up falling onto the front stairs. [1] was trying to handcuff him when Officer Mowry came in and assisted. The two were able to handcuff [2] who complained of pain in his ribs. A rescue was on scene to treat [2]

[1] said Sgt Marcos arrived on scene a few minutes later and he informed him on what happened. He was asked if he had any charges and he replied that he had discretionary charges for obstructing and resisting arrest, but was still investigating possible domestic charges.

[1] went upstairs and spoke with [3] who told him that she did call a rescue for a psych evaluation on [2]. She did believe he was going to hurt himself, but denied telling anyone that he threatened to hurt her. [1] also spoke with [3] son [4], who said he witnessed the physical confrontation and acknowledged that he saw [1] give [2] commands that went ignored.

As a result of his investigation, [1] had no domestic charges and elected not to charge [2] with Obstruction or resisting arrest. [2] was transported to LMC for treatment.

I asked [1] about [2] allegation of putting the handcuffs on too tightly on purpose and saying, "this is what happens when you don't listen to me." He told me that he did not say anything like that and he was sure that he did not put the handcuffs on too tightly.

Justin Mowry

On 16JUN15 I spoke with Officer Mowry in the Internal Affairs Office. Mowry told me that he responded to the call of a suicidal male threatening to kill his girlfriend with [1]. Mowry said that when he arrived he saw Officer [1] struggling with a man on the walkway. The man was on one knee and resisting [1] efforts. Mowry ran over and assisted in taking the man [2] into custody. Afterwards, the man complained of pain in his ribs and was treated by rescue.

Mowry told me that he did not see [1] strike or sweep [2] to the ground, nor use any type of excessive force. Mowry also stated he did not hear [1] make any extralegal or offensive comments to [2].

[4]

Several attempts to make contact with [4] between 08JUN15 and 16JUN15 were unsuccessful.

On 17JUN15 I spoke with [4] over the phone. He told me the following:

[4] called the fire department that day because [2] was acting very strange and threatening to kill his mother. He said that [2] had even called him earlier and told him they were arguing and that he [4] had better come and get him [2] because he was going to kill her.

[4] said he was at the window when the police arrived and saw the entire altercation. [2] was in his car when the police arrived and got out and started walking to the house. [4] heard the police yell to [2] to stop several times, but he never listened and kept approaching the house. [4] saw the first police officer [1] grab onto him and saw that [2] was resisting his effort to stop him. [4] said, "The cop really put him down easy. He wasn't trying to hurt him or smash his face or anything." [4] told me that in he did not believe that anything the police did was excessive.

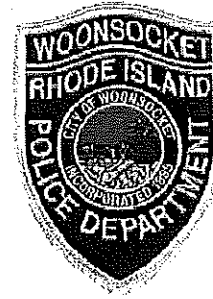
[4] told me [2] called a while later and started harassing his mother about calling the cops to beat him up. [4] went on to say that [2] has a problem with authority and has had multiple run-ins with the police.

Findings:

- 1 [redacted] had solid legal grounds to initiate a temporary detention of 2 [redacted] based on a credible report that 2 [redacted] was suicidal and threatening to kill his girlfriend.
- 2 [redacted] clearly recognized 1 [redacted] as a police officer.
- 2 [redacted] willingly ignored 1 [redacted] orders to stop.
- Based on the information and threats in the original report, 1 [redacted] had a clear objective in not allowing 2 [redacted] to enter the home.
- 1 [redacted] decision to utilize a leg sweep came after 2 [redacted] continued to ignore commands and resist 1 [redacted] attempt to restrain his arms.
- 1 [redacted] use of a leg sweep under these circumstances was in compliance with current policy and procedure.
- There is no evidence to support the allegations that 1 [redacted] put handcuffs on too tightly as retribution, nor that he made any inappropriate comments to 2 [redacted].

Recommendation:

As a result of this investigation, I recommend that this case be closed and classified as: "Exonerated."



INVESTIGATIVE REPORT

Case# 15-16-IA

Investigator: Lieutenant Edward Cunanan

Abstract:

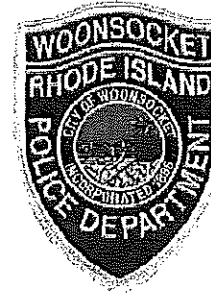
On 16JUN15 the ACI sent a report regarding allegations of excessive force, made by inmate [1] during intake. This complaint was not initiated by [1] rather standard practice whenever an inmate makes any such allegation.

According to the ACI report, during the commitment process, [1] had bruising on her knees and arms. In a discussion with CO Cormier, [1] said that Woonsocket had done this to her.

I researched the case in question; a warrant arrest. According to the police report there is no use of force, nor any reported need for the use of force. [2], [3], and [4] are the officers involved in this arrest.

I spoke with the arresting officer, [2]. He told me there was no use of force and had no idea why [1] would have alleged that she received injuries from her arrest.

This case is closed "unfounded" pending any further developments.



INVESTIGATIVE REPORT

Case# 15-18-1A

Investigator: Lieutenant Edward Cunanan

Abstract:

On 04AUG15 the Office of Professional Standards was ordered to investigate two incidents of potential "Unsatisfactory Performance" on the part of [REDACTED]. In the first incident it is alleged that [REDACTED] failed to competently comply with a private attorney's request for evidence—surveillance recordings. In the second incident it is alleged that [REDACTED] turned over firearms to a civilian within the report-writing area in a manner in which caused immediate safety concerns for several officers present.

On Tuesday, 04AUG15, Chief Tom Carey ordered an investigation into two incidents involving [REDACTED] [REDACTED]. The first involved an allegation of failing to competently secure and provide in-house video evidence in situation involving potential litigation, and the second involved an allegation of creating a hazardous situation within the station. For clarity, these two incidents will be memorialized successively in this report.

Incident #1 - Evidence Request

Captain Todd Boisvert

On 04AUG15, Capt Boisvert advised me that [REDACTED]—in her capacity as [REDACTED]—had received a request for surveillance footage of the booking area from Attorney Patrick O'Neil. Specifically, O'Neil was looking for footage of the cell block area between 21JAN15 and 23JAN15, in regards to a potential litigation. [REDACTED] asked Captain Remick for guidance and was told to have him complete a formal request. The formal request was received by the law department on March 16, 2015. City Attorney Michael Marcello emailed both Chief Carey and Capt Remick with instructions to preserve the video. Capt Remick ordered [REDACTED] to make a copy. [REDACTED] ultimately provided several DVDs to the law department which either had footage from the wrong date--20JAN15—or no footage at all.

According to Boisvert, in a 21JUL15 conversation between Capt Boisvert, [REDACTED] and Capt Remick, [REDACTED] claimed that she had made copies of the dates requested (21JAN - 23JAN), and gave copies to Capt Remick, Capt Boisvert, and Lt Cunanan. He said there was an implication that these three officers "lost" the DVDs. During this conversation [REDACTED] became very upset and abruptly left, citing sickness. Capt Boisvert documented his concerns in a memo to Chief Carey.

On 04AUG15, Capt Boisvert provided me with copies of the following documents:

- Timeline of events addressed to Chief Carey from Capt Boisvert.
- Email #1 - 27FEB15 at 1218, Attorney Patrick O'Neil email to [REDACTED]. He advised that he was representing [REDACTED] in a potential case and requested cell block footage from 20JAN15 through 22JAN15 be preserved.
- Email #2 - 27FEB15 at 1412, [REDACTED] email to Capt Remick to ask for guidance on O'Neil's request.
- Email #3 - 27FEB15 at 1505, Capt Remick e-mail to [REDACTED], instructing her to have O'Neil make a formal request.
- Letter - Formal request letter from O'Neil to Chief Carey regarding the footage
- E-mail #4 - 16MAR15 at 1034, City Attorney Mike Marcello e-mail to Chief Carey and Capt Remick with a request to preserve the video.
- E-mail #5 - 16MAR15 at 1521, Capt Remick e-mail to [REDACTED] with instructions to preserve and make a copy of the video.
- E-mail #6 - 13JUL15 at 0939, City Legal Secretary Priscilla Steenbergen e-mail to Capt Remick to explain that the discs provided to the legal department by [REDACTED] were from the wrong date and did not contain any footage that had been requested.
- Copy of handwritten notes (author later determined to be Pricilla Steenbergen), documenting the discs did not contain the requested footage.
- E-mail #7 - 13JUL15 at 1049, Capt Remick email to [REDACTED], ordering her to provide the requested video.
- E-mail #8 - Department-wide e-mail from [REDACTED] stating she will be on vacation from 15JUL-19JUL.
- Capt Boisvert memo regarding the 21JUL15 meeting between himself, [REDACTED], and Remick
- Capt Remick memo regarding the 21JUL15 meeting between himself, [REDACTED], and Boisvert

[REDACTED]

On 11AUG15, I spoke with [REDACTED] in the Internal Affairs office. She was given Garrity warnings and chose to speak without representation. The following is a summary of our taped interview in response to the allegations regarding the failure to competently secure and provide the evidence:

Initially, [REDACTED] told me that she first learned of the request from Attorney O'Neil in a written letter from him in March. [REDACTED] did not recall receiving an e-mail from Attorney O'Neil regarding the request to preserve the cell block camera recordings on February 27, nor e-mailing Captain Remick

about this request and receiving a response on the same date. After I showed her copies of these emails, she acknowledged they must have been sent.

1 believes that she downloaded video of the cell block cameras for the dates requested, after receiving the e-mail request. She preserved the video pending the formal request. When this request was received on March 16th, she made eight DVDs, and sent them to the law department. 1 stated she never looked at the DVDs to ensure they had the information requested and were in working order. She also told me she never viewed the camera system for any specific footage of 2; she only entered the dates requested, downloaded the footage to her desktop, and recorded (8) DVDs.

1 told me she learned that the department's hard drive for the camera footage was not working properly on March 4, 2015. She said she notified Capt Boisvert of the issue, and the hard drive was replaced on March 12, and then again on March 20. [NOTE: Further investigation revealed this was the NICE recorder drive; not the drive assigned to the DVR system]

1 confirmed that she received another email from Capt Remick on March 16 regarding the video. She told me that she responded by telling Capt Remick in person that she had made the DVDs already.

In July [13], 2015, 1 said she learned from Priscilla [Steenbergen] in the law department that the disks she provided did not contain any of the information that had been requested. She said she had no idea how the DVDs did not contain the footage, but ultimately insisted the problem had to be with a malfunctioning hard drive.

Ryan - Apex

On 11AUG15 I spoke with Ryan Lapham of APEX regarding the hard drives. He informed me that the system was never down. He told me he would obtain the "tickets" for the service provided.

On 18AUG15, Lapham forwarded me copies of case files for service to the NICE audio recorder drive. He told me that the system was never actually down; the query was configured incorrectly. Unfortunately, this was not the system I was asking about. I met with Lapham asked him for any information on the DVR drive. Lapham confirmed that the two are programs are contained on separate servers and said he did not recall any problems with the DVR system, but he would look into it to confirm.

On 19AUG15, Lapham sent me an e-mail indicating that there were no service records for the DVR system.

DVDs

On 12AUG15, I retrieved the original DVDs created by 1 (15-552-PR) from 1 in the evidence room. I reviewed the seven [one missing] DVDs in the envelope and found files that contained footage from various time periods for January 20, 2015. There were no files that contained any footage from after January 20. The date stamp on the created file showed 03/02/2015.

On 12AUG15, Captain Boisvert gave me the eight DVDs that had been provided to the law department. He had obtained them from the law department. I reviewed the DVDs and saw the same footage that was on the DVDs from [REDACTED].

RAS SYSTEM LOG

On 12AUG15, I reviewed [REDACTED] "system log" for the RAS system on her department computer. I captured screen shots of the log, starting with the date the first request was received via email (02/27) through (04/09). The log shows that her system connected to the RAS system repeatedly over that time period.

Of particular interest with this log are the following entries:

- 02/27/2015 - "connected" cell block search @14:3(second digit not visible). This indicates that the system had been accessed on the day the email request was received from Attorney O'Neil.
- 03/02/2015 - "connected" cell block search @ 11:4(second digit not visible). This log entry corresponds to the date stamp on the DVDs (03/02/2015 1159).
- 03/02/2015 - "connection fail" cell block @13:0(second digit not visible).

These entries indicate that the system was operating for approximately 1 hour and twenty minutes before logging a "fail" status on 02MAR15.

Pricilla Steenbergen

On 12AUG15 I spoke with Legal Executive Secretary for the law department, Pricilla Steenbergen, over the phone. She told me she was the person who viewed the DVDs brought to the law department by Captain Remick. She stated she did make handwritten notes regarding the DVDs, which concluded with a note regarding [REDACTED] admission that she copied the wrong date. According to Steenbergen, [REDACTED] made a comment like, "It's so unlike me to do the wrong date." Steenbergen told me she believes that the law department received the DVDs from Capt Remick a few weeks prior to her reviewing them (which would indicate late June or early July).

[REDACTED] - Second Interview

On 20AUG15 I spoke with [REDACTED] in a follow-up interview. The primary purpose of the interview was to address the assertion that the system was "down" in the first interview. There were a few other questions as well regarding conversations she had with Capt Remick and Priscilla Steenbergen. Again, she refused representation in this interview.

[REDACTED] maintained that the system was malfunctioning. She acknowledged that the replaced hard drive she referred to in our first conversation was for the NICE audio system. However, she asserted that the drive for the DVR was also malfunctioning. I informed her that APEX had no work record for any problems with the DVR system. She insisted that it was malfunctioning, and offered the many "connection fail[s]" on her RAS log as proof.

I showed [1] records that indicated she produced DVDs for two DUI cases in March using the RAS system. The first was for an arrest on 01MAR15, entered into evidence on 06MAR15; the second was an arrest from 05MAR15, entered into evidence on 30MAR15. These two DVDs suggest that the DVR system was working properly during this time frame. [1] response was that it was working on and off, and again referred to the "connection fail"s on her log. *She also suggested that we would have to check the DVDs to make sure they were of value.*

[1] described her process of making DVDs and said she has made "thousands" of DVDs before. She stated that she put the times in and saw [2], stopped watching, and then started recording the time period requested. [Note: this information was different than when she previously told me she never looked at the camera system to see any footage of [2]]

I asked her if she ever remembered telling Captain Remick that she made a mistake in reference to this case, and she replied, "no."

I asked her when she learned that the DVDs did not contain everything that had been requested; she replied when she spoke with Priscilla [Steenbergen] from the law department in July. I asked her if she told Priscilla that she had made a mistake and she replied, "no."

I closed the interview by asking her if it was possible that she made an honest error in the process of making the DVDs. She emphatically asserted that she did not make any mistakes in this case.

[1] provided me with copies of all emails she had that related to this case, including two that I had not seen previously:

- On 02MAR15 @1129, [1] e-mailed Attorney O'Neill and stated that she had "preserved the requested video of the cellblock for those days."
- O'Neill acknowledged at 1337.

RAS Test

On 21AUG15, I conducted a test at my department issued computer. The intent was to see how long it would take for my system to download a 24-hour period from the RAS system to my desktop.

- I entered a 24-hour period from 20AUG15 (11:23:05) to 21AUG15.
- The footage was taken from the "New Cameras" DVR; all 16 cameras included.
- I started downloading the video to my desktop at 1124.
- The system created 8 files for the 24-hour time period.
- The system completed downloading at 1359.
- To capture the entire 24-hour period, the system created 8 files in a time of two hours and thirty-five minutes.

This test should be used only as a general guide, as differences in systems and other factors could affect the download time.

Investigative findings:

- On 27FEB15, [REDACTED] did receive an email from attorney Patrick Oneil, requesting that she preserve any video footage from the cell block area from 20JAN15 – 22JAN15.
- On 27FEB15, [REDACTED] was instructed by Capt Remick to have the attorney make a formal request.
- According to the RAS log, on 27FEB15, [REDACTED] computer connected to the RAS video system @ 14:37.
- According to the RAS log, on 02MAR15, [REDACTED] computer connected to the RAS Video system for approximately one hour and twenty minutes. (11:47 - 13:07)
- Eight DVDs were created by [REDACTED] on 02MAR15.
- On 02MAR15 @ 1129 am, [REDACTED] sent an e-mail to Attorney O'Neil stating that *she had preserved the requested video* of the cellblock. She informed the attorney of the need for a formal request. O'Neil acknowledges the email @ 1:37 pm.
- On 16MAR15 @ 1034, city attorney Mike Marcello contacted Chief Carey and Capt Remick and requested the video footage to be preserved. At 1521, Capt. Remick informed [REDACTED] via e-mail to preserve the video. ([REDACTED] stated she replied to this in person that the DVDs had already been made)
- The eight DVDs created by [REDACTED] were delivered to the Law Department by Captain Remick after 16MAR15.
- On 13JUL15, [REDACTED] contacted the department to inform that the video requested was not on the DVDs.
- [REDACTED] contends that the DVDs were not created correctly because the system was malfunctioning.
- According to Apex technician Ryan Lapham, the DVR system was never "down" or serviced during the time period in question.
- [REDACTED] *never checked the DVDs to see if the footage requested was contained and if the DVDs were working properly.*
- Regardless of system or operator error, a review of the DVDs prior to submission would likely have prevented this situation.
- The failure to produce competent evidence in a timely manner may have an effect on potential litigation filed against the City in this case.

Incident #2 – Weapon Return

Oliver Statement

On 04AUG15, Captain Boisvert provided me with a letter from Officer Matt Oliver. I reviewed the letter, which alleged the following:

On 09JUL15 at about 1400 hrs, Officer Oliver was in the report-writing room, along with Officer McGourty and Officer Breguet. At that time [1] came in carrying a paper bag and a rifle, accompanied by an unknown white male [3]. Oliver was immediately concerned with the unsecured rifle in the station with an unknown male in close proximity. [1] eventually emptied the contents of the bag to reveal two handguns and some loaded magazines. It appeared that [1] was about to hand over the weapons and ammo to the male, and allow him to walk out of the station, so Oliver and McGourty voiced concern. The male offered to go and get his rifle case, but [1] became angry and told him she would transport the items herself. [1] then collected the rifle and the bag and left through the roll call room. Oliver remarked that this incident put "everyone in this police department in danger."

McGourty Statement

On 04AUG15 I also obtained a copy of the letter Officer McGourty sent to Captain Boisvert. The letter was very similar in nature to the one written by Oliver; the following is a summary:

ON 09JUL15 at about 1400, McGourty was in report-writing with Oliver and Breguet. At that time [1] entered with the rifle and the paper bag, followed by an unknown white male. Inside the bag were additional handguns, as well as loaded magazines. McGourty expressed his immediate concern within the secure facility, which made [1]. At one point he asked the male about how he intended to transport the weapons to his home. The male responded that he had a case in his car and asked if he should get it; [1] told him it wasn't necessary. Ultimately, [1] became so upset that she gathered all the weapons and told the male she would transport them to his house herself. With that, she stormed off through the roll call room. Like Oliver, McGourty expressed concern about this incident and the danger it produced.

Breguet Statement

On 05AUG15, Officer Breguet provided me with a written statement. The following is a summary of that statement:

On 09JUL15, Breguet was in the report-writing room, along with McGourty and Oliver. At one point [1] came into the room carrying a rifle and a paper bag, and placed the items on the counter and the floor. Moments later she escorted an unknown male into the room. At one point [1] removed two handguns and several magazines (some loaded) from the bag. It appeared to Breguet that [1] was preparing to give the weapons and magazines to the male. The male asked if he should get his rifle

case from the car and was told, "no." McGourty and Oliver raised concerns over allowing the male to openly transport the weapons from the station back to his home. The idea of a trigger lock was mentioned, but [1] said she did not know where they were or if the department had any. Moments later [1] stated she would transport the guns to the male's house herself, gathered the items and left. Breguet remarked that he was uncomfortable with the situation because he had no idea who this person was [that was about to receive weapons in the station], and why the department had his guns.

[3]

On 05AUG15, I spoke with [3] outside his home at 654 Social St. in a taped-recorded statement. The following is a summary of his statement:

On 09JUL15 he had gone to the Woonsocket Police station to retrieve some weapons that belonged to him (M&P Model 15 .223 rifle, Glock .40 handgun, S&W 9mm handgun). These weapons had been seized by officers following a shooting in September, 2014, and had since been court-ordered to be returned. [3] met with [1]

He was brought inside the department to a room in the back where a printer was. [1] was in the process of filling out paperwork when another officer in the room started asking about the rifle and whether [3] had the means of properly transporting the weapon. The officer told him he was not leaving with the weapons as they were. [3] indicated that he did have a rifle case with a lock on it outside in his car, but [1] did not instruct him to go out and get it. He seemed a little annoyed that the male officer was asking about his legally owned rifle, but he acknowledged that the officer had a point about the legal transportation of the weapons. [3] articulated the proper procedure for transporting weapons to me without hesitation. [3] has a "blue card" but does not have a permit to carry on his person. He told me that [1] became frustrated with the other officer and eventually said that she would transport the guns to his house. [1] then followed [3] in a police car to 654 Social St, where she gave [3] the weapons outside in front of the house.

[1]

On 11AUG15 I spoke with [1] in the Internal Affairs office. The following is a summary of her statement:

On July 9th, she carried a rifle and a paper bag containing two handguns, magazines, and ammunition into the report-writing room. [1] was intending on giving the weapons to [3] who had a court order to receive the weapons. [1] usually utilizes the station office to conduct such a transaction, but it was occupied.

[1] left the weapons with Officer Oliver and McGourty who had taken interest, and then escorted [3] into the room. She began to complete paperwork when Officer Oliver inserted himself into her duties by criticizing her actions.

1 said the guns had been rendered safe by the use of zip ties through the slides. She also said the magazines and ammo were in closed bags, separate from the weapons. 1 told me she had every intention of removing the rounds from the magazines prior to giving them back—she wanted to show 3 the property first. She also asserted that she would have escorted 3 out to his car to ensure he was transporting them in compliance with RIGL. However, it never got to that point because Oliver and McGourty continued to distract and disrespect her in front of 3 until she finally became so frustrated that she told him that she would bring the items to his house.

1 gathered the items, put them inside a police cruiser, and followed 3 home. At his house on Social St, 1 gave the items to 3 outside. She told me she was armed with her department issued firearm when she carried out this task.

In-house camera system

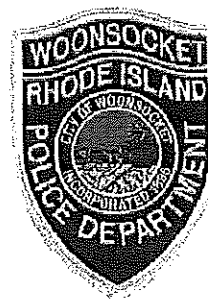
On 05AUG15, I reviewed the department surveillance system for evidence related to this incident. There is no camera footage of the area in report-writing where this incident took place. From the active cameras in the system, I was able to observe the following:

- 14:20:31 – 1 is carrying the rifle and bag through the roll call room
- 14:21 – Oliver enters the report-writing area.
- 14:23:43 – 1 and another person 3 walk into report-writing from the lobby hallway.
- 14:30:10 – 1 comes back through the roll call room holding the rifle and the bag. She walks down into the evidence room, and exits moments later.
- 14:31:34 – 1 leaves the BCI door with the rifle and bag. She walks out to a line cruiser, and eventually drives around to the front lot.
- 14:33:42 – It appears that 1 follows another car out of the front lot, presumably Remillard.
- 13:42:48 – 1 returns to the building via BCI door and goes directly to the evidence room.

INVESTIGATIVE FINDINGS

- On 09JUL15, 1 did meet with 3 at the Woonsocket Police Station to return weapons, per a court order.
- 1 did bring 3 into the report-writing area, where Officers McGourty, Oliver, and Breguet were. Additionally, Officers Velino and Pompei were nearby in the station office with a civilian.
- 1 was in the process of filling out paperwork to return the weapons when Oliver and McGourty voiced safety concerns.
- 1 became upset with McGourty and Oliver and decided to transport the weapons to 3 house herself. 1 turned the weapons over to 3 outside his house at 654 Social St.

- There are no prohibitions against the open carry of a long weapon in Rhode Island; thus [1] was not about to facilitate a violation of RIGL by giving [3] the rifle.
- With regard to the handguns, RIGL requires a permit to carry on person—[3] does not have such a permit. However, RIGL 11-47-9 provides for exemptions to the provisions of 11-47-8, to include weapons being transported to their residence, provided the ammunition is not readily accessible from the passenger compartment of the vehicle. [1] had the two handguns unloaded and the magazines (which were loaded) were separately contained in a plastic bag. The transaction was not completed inside the station. Had it taken place, it is possible that the ammunition could have been properly stored in [3] trunk, in accordance with RIGL.
- It does not appear that [1] violated any existing policies; however, the incident revealed an identifiable safety issue that should be addressed regarding the release of weapons to civilians.



INVESTIGATIVE REPORT

Case# 15-19-IA

Investigator: Lieutenant Edward Cunanan

Abstract:

1 [redacted] alleges that officers 2 [redacted] and 3 [redacted] used unnecessary force against him during an arrest back in November of 2014.

On 03AUG15, the Office of Professional Compliance received a civilian complaint form from 1 [redacted]. In the complaint 1 [redacted] alleges that an arrest report (14-2328-AR) was false. The complaint went on to say that two officers physically assaulted him in his home.

1 [redacted] - telephone conversation

ON 03AUG15, I called 1 [redacted] and asked him to tell me more of the incident. He said that came to his house [on November 20, 2014] after he called because his wife, 4 [redacted], would not give him his medications. He said that at one point he was grabbed and slammed onto the steps by the officers for no reason, leaving him with a bloody nose.

I asked 1 [redacted] why he did not report the matter to the department. He told me that he had an alcohol problem that he only recovered from in July, and he now recalled the incident very clearly.

I asked 1 [redacted] to come to the station to give me a statement and he stated he would.

Report

I reviewed of the arrest report; the following is a summary:

ON 20NOV14 at 0213, 2 [redacted] and 3 [redacted] responded to 335 Pond St for a domestic disturbance. They encountered 4 [redacted] outside who told them 1 [redacted] had been drinking and wanted to take medications; she wouldn't let him out of fear of an overdose.

The officers met 1 [redacted] inside the apartment, along with an elderly female, 5 [redacted] 1 [redacted] was intoxicated, agitated, and confrontational. He was yelling at 4 [redacted] and calling her names.

At one point 1 [redacted] stood up and took a step toward 2 [redacted] he was told to sit back down, but he did not. He took one more step toward 2 [redacted], who placed his finger on his

sternum applied enough pressure to get 1 [redacted] to sit back down. When he sat down 1 [redacted] picked up the phone and dialed 911. 2 [redacted] told him to hang up the phone, but he refused; 2 [redacted] had to hang up the phone for him.

The officers eventually made a determination of probable cause to arrest for domestic disorderly conduct and obstructing. 2 [redacted] told 1 [redacted] to stand up several times, but he did not, instead making a fist. 2 [redacted] grabbed 1 [redacted] wrist and brought him to his feet for handcuffing. 1 [redacted] began to pull away, but 2 [redacted] held on. At one point 1 [redacted] tried to push back and ended up falling onto the stairs leading up to the second floor. He received a minor bloody nose from the fall. He did not receive medical attention.

1 [redacted] was transported to the station where he was placed in a cell. A short time later, officers had to stop 1 [redacted] from tying his shirt around his neck in an apparent attempt to harm himself.

1 [redacted] was charged with (1) Domestic Disorderly Conduct (2) Obstructing a Police Officer.

Disposition

The charges with dismissed (48A) on November 24, 2014.

1 [redacted] Interview

ON 19AUG15, 1 [redacted] came into the station for a taped interview with me. He appeared very tense and agitated. He reiterated much of what he had said on the phone in our 03AUG15 conversation. He told me that most of the report written by 2 [redacted] was untrue. He admitted that he was drunk the night the police came over and suffering from anxiety. He also indicated that he was probably difficult to deal with. However; he disputed the claim that he presented a danger to anyone or that he yelled at his wife. He also said he remained sitting when the officer [possibly 2 [redacted]] told him to stand because the other officer [possibly 3 [redacted]] had told him to sit. 1 [redacted] said the officers grabbed him by the arms and slammed him into the stairs, causing his nose to bleed.

1 [redacted] also pointed out that the photo on the face page is not him, and that indicated that the officers were trying to cover up the injuries. 1 [redacted] told me the only injury he suffered was a bloody nose. [Note: The top photo on this case was not 1 [redacted]; however, the additional two booking photos attached appear to be 1 [redacted]. There are no visible injuries, only minor redness around the neck area.]

1 [redacted] also repeatedly asserted 2 [redacted] untruthfulness because the report says his wife left the room, when she never did. [Note: The report does not contain any language that conveys the message that his wife completed the act of leaving the room. It states: "After a few minutes, 4 [redacted] attempted to move to the second floor, but was escorted back to the main floor with us for safety." Emphasis added]

In the taped interview I again brought up the issue of why the alleged officer misconduct was not reported right away. 1 [redacted] told me that he had a drinking problem and that he was drunk all the time until he was saved by Jesus in July.

4 Interview

I met with 4 in my office on 19AUG15 as well. She told me that much of the officer's report was incorrect. 4 said she was never in fear of 1 and he never yelled at her. She also said that 1 was confused by the two officers when one told him to stand, while the other said to sit. 4 told me that 1 would never hit an officer or anyone.

4 admitted that 1 had been drinking and was acting irrationally about his medications.

I asked her why it had taken so long to report this officer misconduct to the department and she replied that she had told him to go down and report it, but he wouldn't out of fear of retaliation. 4 did not make any reports on the matter either.

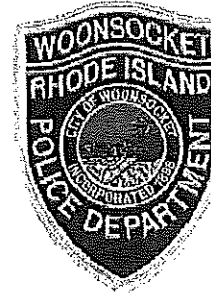
3

On 26AUG15 I spoke with 3 in my office. In a taped statement 3 told me that he did respond to the home with 2 as a back-up officer. He stated that he took a position in the doorway between the rooms while 2 investigated. 3 stated that 1 was very "amped up" but could not recall whether he was intoxicated. 3 said 2 made the decision to arrest and he assisted. As they were handcuffing 1 pulled away or stumbled and fell to the stairs. He suffered a bloody nose from the fall, but he did not need medical attention. 3 helped to get 1 up and into custody. He had no further involvement in the case.

Investigative Findings

- There is no credible evidence to support 1 assertion of unnecessary force.
- *There are no video/audio recordings of this incident to date.*
- 1 was admittedly "drunk" during the incident, bringing the accuracy of his recollection into question.
- 4 also stated that 1 was under the influence of alcoholic beverages.
- According to all parties involved, 1 was agitated and anxious during the incident.
- 1 statement that he got clean a few months ago, allowing him to fully recollect the events of the night back in November when he was admittedly drunk is questionable.
- 4 was in a different room when the use of force was initiated, limiting her viability as a witness to the force used.
- The use of force in this case was joint manipulation and physical restraint in response to passive resistance—pulling away. The force used appears to have been within policy.
- According to Court Connect, 1 case was dismissed (48A) on November 24th. Making the likelihood that he knew the content of 2 allegedly incorrect report long before July of 2015 when he finally brought the allegations to the department.
- 2 did not complete a Response to Resistance report, which appears to have been required in this incident due to 1 receiving a bloody nose in the process of placing a person under arrest using joint manipulation.

Woonsocket Police Department
Office of Professional Standards



INVESTIGATIVE REPORT

Case# 15-20-1A

Investigator: Lieutenant Edward Cunanan

Abstract:

On 22AUG15, [1] was arrested at the station and charged with Domestic Simple Assault and Domestic Disorderly. In a letter to Chief Carey he alleged that Officers [2] and [3] treated him inappropriately.

On 27AUG15, I was ordered by Chief Carey to look into a complaint filed via letter by a [1]. The Chief gave me the original letter, which was signed and also Cc to "Human Rights Commission" "Attorney General Peter Kilmartin" and "WPRI Susan Hogan."

The following is a summary of that letter:

On 22AUG15, [1] came to the Woonsocket Police Department with his mother, to report that his girlfriend, [4], had assaulted him. His mother stayed in the car while he approached two officers ([2] & [3]) in the front of the station. As he started to explain his situation, [2] asked him sarcastically if he knew how to play the trumpet. His mother got out of the car and addressed [2] for making fun of him.

[1] was leaving the station after speaking with the officers when he noticed [4] father approaching the lot. They turned around and went back to the station to see if they could take custody of the child-in-common. [1] was speaking with the officers in the foyer when they placed him under arrest for assault and taken inside. [1] asserts that he was wrongfully charged.

[1] also took exception to being searched three times. He stated, "When the officer searched me he went deep into my anal cavity and squeezed my testicles so tight I could have cried." At the same time [2] continuously unbuttoned his holster and drew his weapon out slightly.

[1] said he was maliciously intimidated, ridiculed, and humiliated in this experience. He also contests all the charges.

On 27AUG15, I reviewed the original arrest report (15-999-AR) from [3]. According to the report [3] charged [1] with Domestic Assault and Domestic Disorderly Conduct. The final line of the report reads, "[1] was booked without incident."

Surveillance footage

On 27AUG15, I reviewed the surveillance footage from in-house cameras on the morning of 22AUG15. I viewed several camera recordings, from 0638 (when [1] arrived at the station) to 0750 when he was placed into a cell. I downloaded these files from the RAS system for permanent record.

I made the following observations from the recordings:

- [1] is originally greeted at the station by [3] and the two engage in conversation.
- A few moments later, [2] goes outside to raise the flag. There appears to be a very brief verbal exchange with [1], and then his mother exits her vehicle and says something to [2].
- [1] speaks with [3] in the lobby for a while and then leaves at 0655, shaking [3] hand before he walks out. As he and his mother drive out, [4] and her father pull into the parking lot.
- [1] returns to the station lot at 0657. [3] and [2] escort him into the building at 0702; there is no force used.
- [3] and [2] take [1] into custody in the foyer at 0707. [2] escorts him through the lobby and into the secure area. There is no use of force seen.
- [2] escorts [1] into the temporary holding area at 0708. There is no use of force. [2] does a cursory pat of [1] pockets. [1] then sits on the bench.
- [2] takes [1] property for inventory at 0718. He removes items from [1] pockets and placed it into a property bag. He also removes [1] belt. There is no use of force or visible issues.
- At 0731, [2] escorts [1] from the temporary holding area through the roll call room, and into the booking area. [2] does secure his weapon in the lockbox, per policy. There is no use of force or visible issues.
- [1] is searched by Sgt Glode in the booking area. The search appears to be within policy. There is no force used and no visible issues.
- [1] is then photographed and fingerprinted by [2].
- At 0749, [2] conducts a final search of [1] prior to placing him in the cell, per policy.
- The booking process is complete at 0750 and [1] is escorted to cell #2. There is no use of force or visible issues.

[2]

On 31AUG15 I spoke with [2]. He told me that he assisted [3] with taking [1] into custody that morning. [2] acknowledged escorted [1] into the secure area of the building, and into the booking area. [2] told me that he did search [1] in booking, in accordance with policy. He does not recall specifically searching [1] inside the hallway outside of dispatch (not under surveillance), but that it would be normal operating procedure for him to pat someone down after arrest and prior to escorting them through the building.

I informed [2] of the allegation that an officer had entered [1] anal cavity. [2] unequivocally denied any such action. He told me that he remembered [1] objecting to being patted down several times, but reinforced the standing policy of three searches: (1) upon arrest, (2) during property inventory, (3) prior to placing in the cell. [2] said there was no altercation or use of force with [1] that morning. The assertion that he removed his weapon repeated was also categorically false.

I asked [2] if he had said something about a trumpet when [1] first came to the station. He replied that he did ask [3] and [1] if they could play the trumpet while he raised the flag in front of the station. [2] asserted that he was only joking, but acknowledged that [1] mother came out and accused him of making fun of [1] hearing loss. [2] assured her that he was not.

[3]

On 31AUG15, I spoke with [3] in my office. I advised him of the allegations that were made in the letter to the Chief. [3] refuted the allegations of mistreatment, though he was primarily involved in the investigative action and did not have physical custody of [1] during his time in the building.

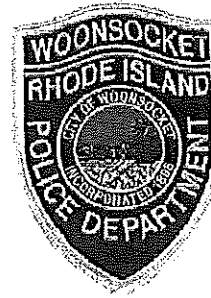
[1]

I spoke with [1] on at least one occasion over the phone. He made arrangements to come in to speak with me on Thursday 03SEP15, but later cancelled.

On 15SEP15 I spoke with [1] in the Internal Affairs Office. [1] gave me a similar account as what he had stated in his letter. I did confirm that there was no strip search and no one entered his anal cavity. [1] was mostly concerned about being searched three times; I advised him that this was policy and explained why. [1] seemed to understand and accept my explanation. Regarding the trumpet comment by the flag pole, I explained that [2] was only joking around and he accepted this as well. [1] left the station seemingly pleased with our meeting.

INVESTIGATIVE FINDINGS:

- There is no evidence to substantiate [1] claim that he was mistreated during his time in the Woonsocket Police Department on 22AUG15.
- All officers involved with handling [1] appeared to have acted according to policy and procedures.
- There is no use of force with [1] at any time during the video recordings, nor is there any visible sign of any problems.
- [1] complaint that [2] was making fun of him was misunderstood—in reality [2] was merely joking with both [3] and [1] when he asked if either could play the trumpet as he was raising the flag. The question cannot reasonably be deemed as offensive.
- Regarding [1] assertion that he is innocent of the charges related to this case; this will be adjudicated in District Court.



INVESTIGATIVE REPORT

Case# 15-21-IA

Investigator: Lieutenant Edward Cunanan

Abstract:

On 23NOV14, Officers [1] and [2] responded to 97 Temple St. for a report of a suicidal male. In the course of the investigation the officers made the decision transport the caller to the hospital for a psychological evaluation. In a letter sent to the department, [3] was not pleased with how the officers handled the situation. She seemed even more upset about the bill received from the hospital service, and does not feel she should have to pay it.

On 11SEP15, the department received letters from both [4] and [3] of 97 Temple St. The letters expressed concern over the way officers handled their call for service back in November of 2014.

In her letter, [3] stated she called the police in reference to a domestic problem with her husband—the two were having an argument. During the subsequent investigation she alleges that the officers chased her into her bedroom and eventually made entry and forcefully made her go to the hospital. [3] stated she does not remember all the details of how she got to the hospital.

Since then [3] has received medical bills for the treatment she received that night, bills that she says she cannot afford.

In his letter, [4] gave a similar account as his wife. He said that he believes the action on the part of the officers was unnecessary given the size of his wife. He also believes that the city is responsible for all medical bills pertaining to this incident.

Police Reports

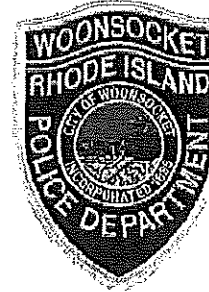
I reviewed the report of the incident, left by [2]. According to [2], the police responded to the home for a report of a suicidal male locked in the basement. He made contact with [3] upstairs; she was yelling a lot and seemed to be very upset.

They were able to get [4] out of the basement without any problems. He told the officers that [3] gets very upset and she was mad at him now because of someone he had been talking to.

As the officers tried to speak with the two separately—common procedure—[3] became very upset and actually starting assaulting [2] before running up to her room and closing the door. The officer's feared that absent immediate medical attention she was a danger to herself or others, and eventually had to physically extract her from the room. [3] was transported to LMC for psychological evaluation.

Investigative Findings

- There does not appear to be any policy violations in this incident.
- The officers had reason to believe [3] was a danger to herself based on her actions and statements.
- The Officers acted in accordance with RI General Law in having her transported for treatment.



INVESTIGATIVE REPORT

Case# 16-01-1A

Investigator: Lieutenant Edward Cunanan

Abstract:

On 13JAN16 at 1501, [REDACTED] was involved in a traffic accident on Bernon St in the City of Woonsocket. [REDACTED] was alleged to have been operating an unregistered motor vehicle at the time of the accident.

Accident Report

According to Officer Matthew Oliver's accident report (16-41-AC), [REDACTED] was operating a motor vehicle (Rhode Island registration 663111, 2011 Taurus) on Bernon St in the City of Woonsocket. At one point [REDACTED] looked away from sun glare and at that time he ended up striking a vehicle that had stopped in front of him.

While running the registration information, Officer Oliver learned that the vehicle was unregistered since February of 2014. Officer Oliver cited [REDACTED] for operating an unregistered motor vehicle.

[REDACTED]

On 01FEB16 at 0900, I conducted an interview with [REDACTED] in the company of Union representative Sgt Matthew Ryan. [REDACTED] was given Garrity Warnings. [REDACTED] acknowledged that he was involved in a traffic accident with his vehicle on 13JAN16, and that the vehicle was unregistered at the time. [REDACTED] told me that the vehicle was unregistered because he could not pay the taxes owed in order to register the vehicle. [REDACTED] explained that he has some financial difficulties over the last few years stemming from unforeseen events. [REDACTED] advised that he has since payed all his taxes and the vehicle is now registered.

During my interview I found [REDACTED] to be forthcoming and he appeared to be remorseful and embarrassed.

Rules and Regulations

WPD Rules and Regulations #86: "Privately Owned Vehicles" states:

86. PRIVATELY OWNED VEHICLES:

"Officers of the Woonsocket Police Department are expected to enforce all laws pertaining to the motoring public. Therefore, employees shall ensure that their personal vehicles meet all state laws, restrictions and requirements as specified under city and state statute."

Investigative Findings

- [REDACTED] was operating an unregistered motor vehicle on 13JAN16 when he was involved in a traffic accident.
- [REDACTED] was aware that his vehicle was unregistered.
- The vehicle was unregistered since 02/14 because [REDACTED] did not have the finances to pay taxes owed, prior to registration.