



Jamestown Police Department
Investigative Report

Case #: 15-1-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: CONDUCT UNBECOMING
Disposition: OTHER

Reporting Officer: [REDACTED]

Signature: _____

Assisting Officer: [REDACTED]

Signature: _____

PERSON(S) POSITION SEX RACE AGE SSN PHONE

1 [REDACTED] REPORTING PARTY M W [REDACTED]

EMPLOYER: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Home Phone (Primary) [REDACTED]
Work Phone (Primary) [REDACTED]

2 [REDACTED] [REDACTED] M W [REDACTED]

EMPLOYER: JAMESTOWN POLICE DEPT.
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Home Phone (Primary) [REDACTED]
Work Phone (Primary) [REDACTED]

3 [REDACTED] [REDACTED] M W 36 [REDACTED]

EMPLOYER: JAMESTOWN POLICE DEPT
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Cell Phone (Primary) [REDACTED]

PERSON(S) POSITION SEX RACE AGE SSN PHONE

1 [REDACTED] [REDACTED] M W [REDACTED] NOT AVAIL [REDACTED]

CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Work Phone (Primary) [REDACTED]

BODY: NOT AVAIL
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

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DIRECTION SEX RACE AGE HAIR EYES

[APPEARANCE]

GLASSES WORN: NO

EMPLOYER/SCHOOL:



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On [REDACTED] at approximately [REDACTED] arrested [REDACTED] charging him with disorderly conduct and obstructing a police officer. The arrest occurred following an incident involving [REDACTED]

The summary of the incident is as follows: At approximately [REDACTED] reported that he was travelling west on [REDACTED] and observed a subject walking west and then it appeared the subject turned left onto [REDACTED]. As [REDACTED] reached the intersection he also turned left and did not observe this subject in the roadway. He travelled south on [REDACTED] and then turned around to recheck the street. He activated the ally lights on top of the cruiser. Upon doing so, he observed the subject standing on the property located at [REDACTED] near the house. The subject was standing with his back toward the road and with both hands positioned at his waist as if he were urinating. [REDACTED] turned back onto [REDACTED] he observed the subject enter back onto [REDACTED] after exiting the yard. The subject was extremely unsteady on his feet as he walked.

[REDACTED] stopped his cruiser and approached the subject. He asked what his name was and [REDACTED] replied "whats your name?" [REDACTED] questioned him further and asked why he was in someone's backyard and he denied being there. [REDACTED] report details the level of intoxication that [REDACTED] displayed.

Based upon the time of day, the fact that [REDACTED] witnessed [REDACTED] on private property and him denying so, combined with his extreme level of intoxication to extent that it was unsafe for him to walk safely home, [REDACTED] called for assistance and informed [REDACTED] that he was doing so and that he would be detained. [REDACTED] replied "I'm walking home and if you have a problem with that you can call [REDACTED] (It is noteworthy that I do not know [REDACTED] My contact with him has been limited to email exchanges.) [REDACTED] then began to walk away. At this time [REDACTED] grabbed [REDACTED]'s right arm at the elbow [REDACTED] pulled away and threw his body at [REDACTED]. A short struggle ensued in which [REDACTED] was placed up against the cruiser and eventually complied and was handcuffed and transported to the station.

While in the station, [REDACTED] sent the first of several emails to me regarding the arrest and alleging that he was arrested without cause. The emails eventually escalated to including the [REDACTED] replied to [REDACTED] on [REDACTED] that he would look in to the matter and reply back [REDACTED] continued to email me concerning the matter and filed a formal written complaint on [REDACTED]. In his email which included the written complaint as an attachment [REDACTED] implied there was further information to follow. I notified [REDACTED] in writing of my receipt of his complaint and requested the additional information. I began to investigate immediately.

Between [REDACTED] and [REDACTED] I had numerous conversations with [REDACTED] regarding the arrest. It was evident that members of the Town Council had been contacted by [REDACTED]. On [REDACTED] escalated his complaint to stating that he been assaulted by [REDACTED] and provided a digital photograph of his inner right bicep. The photo depicted three bruises. Based on the escalated complaint to now allege an assault, I contacted [REDACTED] and requested assistance with my investigation [REDACTED] were assigned to assist.

TIME LINE

On [REDACTED] at approximately [REDACTED] arrested [REDACTED] charging him

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with disorderly conduct and obstructing a police officer.

At [REDACTED] I received an email from [REDACTED] "Call the station please. Your boys are out of line." Based upon the time of this email, it appears that it was sent while he was in custody.

At [REDACTED] I received a second email from [REDACTED] "Unjust arrest. [REDACTED] Please give me a call tomorrow about this one! We need to talk about [REDACTED]." Attached to the email is a photo apparently depicting the district court summons which was issued to [REDACTED]

At [REDACTED] I was copied on an email which was sent to [REDACTED] describing the event and requesting a meeting.

At [REDACTED] I received a voice mail message at my office number from [REDACTED] requesting a meeting.

At [REDACTED] responded to [REDACTED] indicating that he would speak with me and be in touch shortly.

At [REDACTED] replied and requested to schedule a meeting to discuss and to view a copy of the police report and any videos.

[REDACTED] approximately [REDACTED] spoke with [REDACTED] and he was advised of the arrest.

[REDACTED] I received an email from [REDACTED] advising that he would like to sit down and resolve these charges before he makes "other arrangements."

[REDACTED] received an email from [REDACTED] along with his civilian complaint statement. It appears that he left an additional hard copy at the police station some time before that time. [REDACTED] indicates that an additional page is to follow. I confirmed receipt of his complaint via email and USPS. I indicated that I was awaiting the additional page of his statement.

[REDACTED] conducted a neighborhood canvas.

I received several other emails from [REDACTED] up to and including his email in which he indicates he wants to sit down and have a clear understanding of what occurred. An additional email suggested that I keep this matter out of the newspaper despite the fact that he sent a copy of his civilian complaint statement to the editor of the Jamestown Press.

On [REDACTED] I received an email from the editor of the Jamestown Press indicating that he received an email from [REDACTED] which included his complaint statement form. I replied confirming receipt of the complaint and advised it was under investigation.

On [REDACTED] the Jamestown Press is published which includes the arrest of [REDACTED]. Included in the newspaper article is the statement that [REDACTED] has filed a complaint against [REDACTED]

[REDACTED] and [REDACTED] I received two emails from [REDACTED] along with two attachments. The first being "page 3" of his civilian complaint form which he had indicated would be forthcoming since [REDACTED]. The second attachment is a photo of the inner side of his right bicep. The photo depicts a bruise which appears to be 2-3 inches in diameter, as well two other bruises which are each less than one inch in

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diameter. Based upon the coloration of the three bruises it appears that they did not all occur at the same time.

On [REDACTED] at approximately [REDACTED] based upon [REDACTED] complaint evolving to a complaint of being assaulted by [REDACTED], I contacted [REDACTED] and requested assistance with the investigation. I was later contacted by [REDACTED] and arranged to meet at JPD on [REDACTED]

[REDACTED] at approximately [REDACTED] I met with [REDACTED] and briefed them on the arrest and subsequent complaint filed by [REDACTED]

[REDACTED] at approximately [REDACTED] met with [REDACTED] along with [REDACTED]

[REDACTED] at approximately [REDACTED] an administrative interview was conducted of [REDACTED]

NEIGHBORHOOD CANVAS

On [REDACTED] at approximately [REDACTED] I began a canvass of the neighborhood near the intersection of [REDACTED] and [REDACTED]

[REDACTED]

[REDACTED] street front [REDACTED] saw and heard nothing directly related.

[REDACTED] did report that he had heard of the event from Councilman [REDACTED]

[REDACTED] offered that [REDACTED] informed him that [REDACTED] was intoxicated after

drinking at the Narragansett Cafe and had a "run in" with [REDACTED] also stated that [REDACTED] is known for drinking too much.

[REDACTED] street front [REDACTED] saw and heard nothing

[REDACTED] property abutts [REDACTED] saw and heard nothing

[REDACTED] property abutts [REDACTED] saw and heard nothing

[REDACTED] no answer-no response

[REDACTED] saw and heard nothing

[REDACTED] saw and heard nothing

[REDACTED] property abutts [REDACTED] no answer-no response

[REDACTED] saw and heard nothing-" I haven't spoke to him"

[REDACTED] "alls I know-if you gotta go-you gotta go"

[REDACTED] he location where [REDACTED] reported seeing [REDACTED]

[REDACTED] was not at home at the time of the arrest-did say "thank you."

Analysis: In general terms of the neighborhood canvas the information gained was limited. That being said it was learned that [REDACTED] had been drinking at the Narragansett Cafe (this is corroborated by video evidence obtained from the surveillance cameras at that establishment). It was also noteworthy that [REDACTED] made only one statement that being "if you gotta go-you gotta go." This would indicate that he had a conversation about the arrest and the issue of urinating was discussed.

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RADIO RECORDINGS

I requested [REDACTED] provide me with copies of all radio recordings related to the arrest of [REDACTED]

I reviewed all radio transmission associated with this arrest:

- 12:14:17 [REDACTED] calls out with intoxicated subject on [REDACTED] and requests another officer
- 12:14:59 [REDACTED] radios that he is enroute
- 12:16:07 [REDACTED] radios requesting "step it up" scuffling is heard as if a struggle is taking place
- 12:16:39 [REDACTED] radios "one in custody"
- 12:17:39 [REDACTED] radios repeating "one in custody"
- 12:18:45 [REDACTED] radios "on scene"
- 12:20:53 [REDACTED] radios "signal 5 with one" meaning enroute to station with one in custody
- 12:23:47 [REDACTED] radios "sallyport" meaning he is requesting the dispatcher to open the sallyport

On [REDACTED] I requested the data radio log from RIEMA. On [REDACTED] I received the requested radio log as it pertains specifically to the portable radio assigned to [REDACTED]. The radio log confirms that three messages were broadcast from this portable radio during the time period in question. This further confirms [REDACTED] statement that he first notified dispatch of his location after he exited his patrol car.

Analysis: Of particular importance are two radio transmissions made by [REDACTED]. The first at 12:14:17 in which he reports that he out with an intoxicated subject on [REDACTED]. In his radio transmission there is no indication of stress or concern noted in his voice. The second radio transmission made 12:16:07 clearly indicates stress and a level of urgency. It appears that this radio transmission was made while [REDACTED] was attempting to restrain [REDACTED].

Particularly noteworthy is the nearly two minutes (1:50) that elapsed from the first radio transmission to the time of the second radio transmission. This time lapse seems to corroborate [REDACTED] report in which he indicates that he was speaking with [REDACTED] in an attempt to determine what he was doing on the property. In a follow up interview with [REDACTED] he indicated that his first verbal contact with [REDACTED] was done while [REDACTED] was seated in the cruiser and he was attempting to speak with [REDACTED] through the open front passenger window. When [REDACTED] failed to respond appropriately, it was then [REDACTED] exited his cruiser, made his first radio transmission from his portable radio and then attempted to verbally engage [REDACTED]. It was nearly two minutes before [REDACTED] made the second radio transmission (stressed voice) requesting assistance. Considering the time lapse it is likely that a conversation was taking place.

VIDEO RECORDINGS

I directed [REDACTED] to provide me with copies of all video recordings related to the arrest of [REDACTED]

I reviewed four video recordings associated with this case:

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Cruiser Video:

[REDACTED] indicated in his report that he activated the cruiser recording system after [REDACTED] was taken into custody and placed in the rear of his cruiser. The recording captured the conversation between [REDACTED] and [REDACTED] as they travelled to the police station. In the conversation, [REDACTED] confronts [REDACTED] about being in the "yard" and that he must have been urinating or something else. [REDACTED] makes a statement "I wasn't doing either..I was trying to get out of the road because you guys were coming up pretty hot." The conversation then continues in which [REDACTED] explains that he only wanted [REDACTED] to remain on scene until such time that another officer arrived so he could determine exactly what had taken place. [REDACTED] then states "I would of been fine with that...I apologize."

In addition to the audio recording, the system provides two camera views. One being the rear seat of the cruiser which shows nothing eventful other than [REDACTED] in the rear seat. The front camera view shows the location in which the arrest took place. It clearly indicates that the arrest took place at [REDACTED] side of the property with the address of [REDACTED]

Analysis: [REDACTED] statement indicating he was trying to get out of the road because the police car was traveling fast does not align with [REDACTED] report that he passed by the property and did not see [REDACTED]. And that [REDACTED] drove down [REDACTED] turned around (as corroborated by [REDACTED] and it wasn't until then that he observed [REDACTED] on the property and he appeared to urinating.

The conversation relating to the reason that [REDACTED] was detaining [REDACTED] and [REDACTED] acknowledgement of that and apology indicates that a conversation did occur prior to [REDACTED] being arrested. The conversation between the two while in the cruiser is cordial and [REDACTED] makes no statement or protest of being immediately grabbed as he indicates in his written complaint.

The front camera view shows the location of the arrest. This corroborates [REDACTED] report in which he indicates that exact location where he first confronts [REDACTED] the [REDACTED] side of the property located at [REDACTED]. In [REDACTED] email to me regarding this matter and his written complaint, he also included a number of photos of the [REDACTED]. By this, he was indicating that is where this arrest took place according to his recollection. The video refutes this assertion.

It should be noted that as a matter of normal patrol operation the cruiser cameras are not in record mode. This action would require an officer to activate the camera recording system or the system will activate when the emergency lights are activated.

[REDACTED] made an official request to [REDACTED] for any and all video recordings located on the exterior of the [REDACTED] and any other that show the [REDACTED] locations. [REDACTED] indicated that there is not exterior video on the [REDACTED]. He did provide a video from the [REDACTED] which corresponds to the date and time of this arrest which depicts a marked Jamestown Police Cruiser turning around in the rear driveway of the [REDACTED].

Analysis: This video corroborated the account of [REDACTED] in which he reports heading south on [REDACTED] then turning around to recheck the area as he did not immediately sight the subject later identified as [REDACTED]. In various forms, [REDACTED] stated that he quickly moved out of the road in order to avoid being hit by the police cruiser as it turned east on [REDACTED]. It appears that [REDACTED]

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[REDACTED] did not know that [REDACTED] first traveled west on [REDACTED] then south on [REDACTED] before turning around in the [REDACTED] parking lot. He then travelled north on [REDACTED] and then turned east back onto [REDACTED]

In Station Video-processing room:

The in station video shows [REDACTED] entering the processing room area with [REDACTED]. They are joined by [REDACTED] immediately and then for a brief period of time, [REDACTED] is given his cell phone and allowed to use the interview room to make a phone call. The interaction is mostly uneventful with the exception that [REDACTED] makes statement that he was just walking and "this guy pulled me out the woods" or "backyard." While [REDACTED] is fingerprinting [REDACTED], he continues to stare directly at him. [REDACTED] then asks [REDACTED] "do you have any friends in Jamestown?" and "do you live here?" Both in a relatively antagonistic manner.

Analysis: [REDACTED] statement about being pulled from the backyard is noteworthy as he had seemed to be other wise denying being anywhere other then the road.

Narragansett Cafe:

Upon learning that [REDACTED] had been at the Narragansett Cafe immediately preceding this arrest, I assigned [REDACTED] to obtain a copy of any video from within the establishment. She did so and reported the inside video shows [REDACTED] entering the establishment at [REDACTED] and remains there until approximately [REDACTED]. The video shows [REDACTED] drinking beer and apparently mixed drinks for his entire time at the establishment. At a minimum it appears that he had 6 drinks in just over two hours. The video otherwise is uneventful. Note: The time stamp is not accurate on this video. [REDACTED] obtained the video from [REDACTED] the owner of the establishment on [REDACTED]. Both she and [REDACTED] were aware at that time that the recording system was incorrectly dated and informed me of this on [REDACTED]

Analysis: The video indicates that [REDACTED] drank alcohol steadily for more than two hours consuming a minimum of 6 drinks. It does not take into account if any alcohol was consumed prior to him entering the establishment. Based solely on the alcohol consumed over the two hour period one would most likely be intoxicated.

POLICE REPORTS

In total three police officers submitted reports related to arrest of [REDACTED]

According to the report of [REDACTED] at approximately [REDACTED] he was travelling west on [REDACTED] and observed a subject walking west and then it appeared the subject turned left onto [REDACTED]. As [REDACTED] reached the intersection he also turned left and did not observe this subject in the roadway. He travelled south on [REDACTED] and then turned around to recheck the street. He activated the ally lights on top of the cruiser. Upon doing so, he located the subject standing on the property located at [REDACTED] near the house. The subject was standing with his back toward the road and with both hands positioned at his waist as if he were urinating. [REDACTED] turned back onto [REDACTED] he observed the subject enter back onto [REDACTED] after exiting the backyard. The subject was extremely unsteady on

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his feet as he walked.

[REDACTED] stopped his cruiser and approached the subject. He asked what his name was and [REDACTED] replied "whats your name?" [REDACTED] questioned him further and asked why he was in someone's backyard and he denied being there. [REDACTED] report details the level of intoxication that [REDACTED] displayed.

Based upon the time of day, the fact that [REDACTED] witnessed [REDACTED] on private property and him denying so, combined with his extreme level of intoxication to extent that it was unsafe for him to walk safely home, [REDACTED] called for assistance and informed [REDACTED] what he was doing and that he would be detained. [REDACTED] replied "I'm walking home and if you have a problem with that you can call [REDACTED] [REDACTED] then began to walk away. At this time, [REDACTED] grabbe [REDACTED] right arm at the elbow. [REDACTED] pulled away and threw his body at [REDACTED]. A short struggle ensued in which [REDACTED] was placed up against the cruiser and eventually complied and was handcuffed. At this time, [REDACTED] arrived on scene.

[REDACTED] was the first officer to arrive on scene after [REDACTED] requested assistance. He reported that [REDACTED] was resisting [REDACTED] as he attempted to handcuff [REDACTED] is handcuffed and then refuses to get into the cruiser as directed [REDACTED] then convinces [REDACTED] to get into the cruiser. [REDACTED] reports that [REDACTED] had a strong odor of alcohol coming from his breath and appeared to be significantly intoxicated.

[REDACTED] reports that [REDACTED] is processed and then released to the lobby. He speaks with [REDACTED] who asked who arrested him. [REDACTED] informs [REDACTED] name. [REDACTED] indicates that he wants to walk home. [REDACTED] informs him that due to his level of intoxication, he will transport him home and does so. While enroute to [REDACTED] home, he again ask for the officers name and he is again provided with [REDACTED] name.

Analysis [REDACTED] report indicates that as he arrives on scene he observes [REDACTED] to be non-compliant with [REDACTED]. He assisted [REDACTED] with securing [REDACTED] in the cruiser despite his initial resistance to do so. [REDACTED] observes [REDACTED] as being significantly intoxicated.

[REDACTED] arrives on scene after [REDACTED]. When he arrived [REDACTED] was in the rear seat of [REDACTED] cruiser. [REDACTED] asked to speak with the officer in charge at which time [REDACTED] opened the rear door and spoke with [REDACTED]. He observed that he had slurred speech and a strong odor of alcohol coming from his breath.

Analysis [REDACTED] report indicates that [REDACTED] had slurred speech and the odor on an alcoholic beverage coming from his breath.

PERSONNEL FILE REVIEW [REDACTED]

I reviewed the personnel file of [REDACTED]. There is no documentation or entry related to complaint and/or discipline associated with unnecessary use of force, abuse of power or truthfulness.

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I reviewed the Department files regarding reported use of force by [REDACTED]. There were no reported use of force incidents. It should be noted that the Department has actively monitored and required use of force incidents to be documented in the Guardian Tracking system since 2011.

INTERVIEW OF [REDACTED]

On [REDACTED] approximately [REDACTED] and I met with [REDACTED] along with [REDACTED] at [REDACTED] office. This meeting was the result of [REDACTED] numerous requests to meet regarding this matter.

Following appropriate introductions, I informed [REDACTED] that no part of the interview would be used in the pending criminal proceeding. [REDACTED] and I then reviewed with both [REDACTED] and [REDACTED] [REDACTED] report and the statement made by [REDACTED].

On the advice of [REDACTED] did not offer further explanation to his statements with the exception of two matters.

[REDACTED] clarified that he chose to travel by foot on [REDACTED] after walking his estranged wife to her car. There they learned that the keys were locked inside. [REDACTED] stated that his estranged wife got a ride from a friend and he continued through the parking lot (did not define which parking lot) on [REDACTED] in order to walk home.

In general terms this explanation is not necessarily believable due to the fact that it is clearly not the shortest route from any parking lot to [REDACTED] residence. For the purposes of this matter, it remains irrelevant.

The interview included a great deal of discussion as to the route of travel as reported by [REDACTED] that being that he traveled west on [REDACTED] then south on [REDACTED] turned around in the fire station museum parking lot and drove north on Coronado Street where he first observed [REDACTED] standing at the northeast corner of the house located at [REDACTED]. His report indicates that he turn right on [REDACTED] travelling east, where he first encounters [REDACTED] as he exits the property of [REDACTED].

[REDACTED] asserts that he only left the roadway when he was startled by the cruiser turning quickly from [REDACTED] onto [REDACTED]. I inquired of [REDACTED] as to how a marked police car could pass him on [REDACTED] where he claimed to be walking in the roadway and not see the vehicle. His first response was "I don't know." He then revised his comment to "I must have been distracted by texting or on my phone." And lastly, [REDACTED] simply refused to accept the [REDACTED] account of the vehicles travel. [REDACTED] declined to provide such phone or messaging records which may have supported his account.

INTERVIEW OF [REDACTED]

On August 4, 2015 at approximately 11:30 AM, [REDACTED] and I interviewed [REDACTED]. I advised [REDACTED] of Garrity rights. He declined counsel. [REDACTED] served as the interrogator and only he questioned [REDACTED].

[REDACTED] and [REDACTED] reviewed his report. [REDACTED] clarified that his first contact with [REDACTED] on the night in question was through the open passengers window of the police cruiser. He reported that he believed his first radio transmission regarding the event was made from his portable radio after he exited the

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cruiser.

[REDACTED] described the physical interaction with [REDACTED] as back and forth, passive aggressive resistance by [REDACTED]. In reference to [REDACTED] identifying [REDACTED] he stated he kind of recognized him as a local but couldn't place the name. He confirmed that he he had only two previous contacts with [REDACTED]. The [REDACTED] District Court warrant arrest; and he was third officer to arrive on scene when [REDACTED] was arrested by Jamestown Police on [REDACTED]. When he arrived on scene, [REDACTED] was in custody and he had very little interaction. [REDACTED] confirmed that he had no other other contacts with [REDACTED]. I reviewed [REDACTED] Master name File and found no other contacts by [REDACTED] involving [REDACTED].

ARREST HISTORY

[REDACTED] was arrested by Narragansett Police Department and charged with malicious mischief

[REDACTED] was arrested by Newport Police Department and charged with possession of marijuana.

This arrest was associated with a search warrant which was executed by Newport Police of the apartment where [REDACTED] was residing.

[REDACTED] was arrested by RISP for boating while intoxicated, refusing to submit to a chemical test and obstructing a police officer.

[REDACTED] EXPUNGED [REDACTED] was arrested by Jamestown Police for driving while intoxicated and resisting arrest. In this case he physically resisted arrest. At that time [REDACTED] emailed both [REDACTED] and [REDACTED] indicating that he was thrown to the pavement and injured and was "ready to file a lawsuit."

[REDACTED] District Court Warrant Arrest. [REDACTED] was arrested based upon a bench warrant issued by the 2nd Division Court (presumably as a result of not appearing related to the [REDACTED] arrest). When confronted by [REDACTED] he physically pulled away from the officer but quickly complied.

POLICY REVIEW

In consideration of the Jamestown Police Department Policy and Procedures and their application to this matter, two significant policies were examined to determine compliance.

The *Use of Force Policy 310.01* requires an officer to submit a response to resistance and noncompliance form in incidents where physical force is applied to effect an arrest.

Exceptions to reportable force: command presence; verbal commands; physical strength and skills which do not result in injury, the appearance of injury or complaint of pain (e.g. the use of a grip to control a suspect's hand while searching or handcuffing); or, that force objectively reasonable to overcome resistance due to physical disability or intoxication, which does not result in injury, the appearance of injury, or complaint of pain (e.g., lifting an intoxicated person to a standing position).

In both the written report and subsequent interview of [REDACTED] he describes [REDACTED] physical resistance as what could be characterized as passive aggressive. [REDACTED] reported no injury to [REDACTED] nor the two sergeants who were present. Therefore there would be no policy requirement for [REDACTED]

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to submit a response to resistance and noncompliance form. Therefore, I find no policy violation.

The *Audio/Video Recording Equipment & Procedures Policy 350.30* is specific as to the operation and activation of cruiser mounted recording devices. The policy requires that the device be activated when the cruiser emergency lights are activated or when an officer activates the record function. This policy is focused on recording the activities associated with traffic stops. The policy does not require recording or nor does it speak to other types of events that officer may encounter while in proximity to their cruiser which are not traffic stops.

In this case, [REDACTED] initiated the recording system as soon as [REDACTED] was taken into custody and detained in the rear of the cruiser despite this not being a requirement. Therefore, I find no policy violation.

DETERMINATION OF COMPLAINT

At the conclusion of all investigations, the findings are assigned to one of the following categories:

- **Sustained:** Evidence sufficient to prove allegations.
- **Not Sustained:** Insufficient evidence to either prove or disprove allegations.
- **Exonerated:** Incident occurred but was lawful or proper.
- **Unfounded:** Allegation is false or not factual.
- **Policy failure:** Flaw in policy caused incident.

For the sake of clarity I have partitioned off the complaint and my findings into three segments.

1. Lack of Dialog by [REDACTED] prior to arrest:

In the various versions of [REDACTED] complaint he asserts that [REDACTED] upon seeing him immediately exited his police cruiser and without any dialogue ran toward him and began to detain him.

[REDACTED] statement is a departure from [REDACTED] report of the event. In his initial report and my subsequent interview of him, [REDACTED] asserts the following: As he travels west on [REDACTED] and comes to a stop next to [REDACTED] rolls the passenger window down and through the open window he begins to inquire of [REDACTED] as to his identity and actions. [REDACTED] appears to be intoxicated and fails to identify himself and fails to respond to [REDACTED] questions in an appropriate manner. It is then that [REDACTED] exits the police cruiser, radios dispatch via his portable radio in which no stress can be heard in his voice. He then continues to engage [REDACTED] verbally in order to determine his actions.

[REDACTED] report indicates that [REDACTED] continued to refuse to answer appropriately and attempted to walk away from him. It is at this point that a physical interaction occurs between [REDACTED] and [REDACTED]. Approximately one minute and fifty seconds after his first radio transmission, [REDACTED] radios a second time and asks the responding officer to "step it up." It is clear in the stress of his voice and the rustling sound heard in the background, that some type of physical interaction was occurring. These two radio communications are independently confirmed as being transmitted from his portable radio, confirming that he

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was out his cruiser at the time of the two calls.

According to [REDACTED] complaint and his verbal statements made to me, he asserts that he immediately complied with the [REDACTED] physical and verbal directions and "willingly allowed the officer to handcuff" him after he "threatened to tase" him.

My investigation included interviewing the majority of residents in the direct proximity to the location of the arrest. None reported hearing or seeing any altercation.

Neither [REDACTED] nor [REDACTED] reported ever leaving their feet during the interaction. There were no physical signs by means of scrapes or torn clothing which would typically be found that would indicate that [REDACTED] left their feet during the interaction.

Based upon the evidence obtained through the two radio transmissions and [REDACTED] statement that no verbal dialogue occurred, it would have meant that the physical interaction would have lasted in excess of one minute and fifty seconds. I find this to be unlikely based upon the lack of any other evidence of physical interaction lasting for that significant length of time.

I viewed the video and audio recording of [REDACTED] while being transported to the police station. During that recording, there is a conversation between [REDACTED] and [REDACTED] regarding the reason for the arrest. [REDACTED] states "all you had to do was stand there until the other officer arrived so I could complete my investigation." [REDACTED] replies, "I would have been fine with that." [REDACTED] then states "obviously you weren't because you walked away and started fighting me." [REDACTED] states, "I apologize." The dialogue between [REDACTED] and [REDACTED] corroborates [REDACTED] account of the event.

I determine this specific point of [REDACTED] complaint to be: **unfounded**; meaning the allegation is false or not factual.

2. Detainment and Arrest

[REDACTED] reports that he travelled west on [REDACTED] where he observed [REDACTED] walking west and then turn south. [REDACTED] reports that upon reaching the intersection with [REDACTED] he did not observe [REDACTED] on the street. [REDACTED] then turned left to head south on [REDACTED] turned around in the parking lot of the fire station museum and then travelled north on [REDACTED]. As he approached the intersection with [REDACTED] he reports activating his ally light and observing [REDACTED] standing the near the northeast corner of the house at [REDACTED] in a position as one might stand while urinating. [REDACTED] reports that he turns right and heads east on [REDACTED] and then encounters [REDACTED] as he exits the yard of [REDACTED].

[REDACTED] asserts that he only left the roadway when he was startled by the cruiser turning quickly from [REDACTED] onto [REDACTED]. During the meeting of July 29, we discussed this portion of [REDACTED] report and [REDACTED] assertion. I inquired of [REDACTED] as to how a marked police car could pass him on [REDACTED] where he claimed to be walking in the roadway and not see the vehicle. His first response was "I don't know." He then revised his comment to "I must have been distracted by texting or on my phone." And lastly, [REDACTED] simply refused to accept [REDACTED] account of the vehicles travel. [REDACTED] declined to provide such phone or messaging records which may have supported his account.

Ref: 15-1-IA

I viewed the video obtained from the Jamestown Fire Department. It clearly depicts the marked police cruiser turning around in the fire museum parking lot. This corroborates the report of [REDACTED]

[REDACTED] statements include his assertion that he was blinded by the spotlight on the cruiser as it approached him on [REDACTED]. His confirmation that the cruiser had this light activated again corroborates the report of [REDACTED]

I reviewed the reports of [REDACTED] and [REDACTED]. Both reports indicate that upon inspection of the area in which [REDACTED] was observed to be standing, they observed the ground to be wet with no other indication of what would have caused this condition.

I viewed the video and audio recording of [REDACTED] while being transported to the police station. During that recording, there is a conversation between [REDACTED] and [REDACTED] regarding the reason for the arrest. [REDACTED] states "all you had to do was stand there until the other officer arrived so I could complete my investigation." [REDACTED] replies, "I would have been fine with that." [REDACTED] then states "obviously you weren't because you walked away and started fighting me." [REDACTED] stated, "I apologize." This dialogue between [REDACTED] and [REDACTED] corroborates [REDACTED] account of the event.

[REDACTED] statement alleges that [REDACTED] stated to him while in the police cruiser that he was arrested because he smelled urine. This is clearly contradictory to what the audio and video recording indicates. [REDACTED] is very clear as to the reason for the arrest and [REDACTED] is apologetic.

I viewed the video obtained from the Narragansett Café from the evening of [REDACTED]. The video depicts [REDACTED] entering the establishment [REDACTED] and remaining there until approximately [REDACTED]. During his time inside the establishment, the video clearly depicts him consuming a minimum four bottled beers and two drinks. This raises question regarding his level of intoxication at the time of this event and his ability to recall it accurately.

I viewed the video obtained from the Department's booking room area. [REDACTED] is allowed to use his cell phone and is directed to a nearby interview room to do so. It should be noted that it was presumably at this time that [REDACTED] first emailed me at [REDACTED] "Call the station please. Your boys are out of line."

While being fingerprinted [REDACTED] states "this is what happens I was just walking home." Then he states "This guy pulls me out the woods." This again raises question regarding his accurate recollection of the event.

Based upon the time of night, the reported location of [REDACTED] on private property, his denial to the officer that he was on the property despite the [REDACTED] view and [REDACTED] refusal to provide a reason for being on the property combined with his level of intoxication would lead a reasonable officer to lawfully detain him in order to determine this information or investigate further.

I determine this specific point of [REDACTED] complaint to be: exonerated, meaning the incident occurred but was lawful or proper.

3. Injury

Ref: 15-1-IA

On [REDACTED] submitted via email a supplemental statement regarding his complaint against [REDACTED]. This complaint and email included an attachment with a photograph of [REDACTED] right bicep area. The photograph depicts a 2-3 inch "heart shaped" red bruise along with two other smaller round bruises. In his statement and email [REDACTED] asserts that this bruise was the result of the "assault" on him by [REDACTED].

According to [REDACTED] written statement and his subsequent verbal statements made to me, he asserts that he immediately complied with [REDACTED] physical and verbal directions and "willingly allowed the officer to handcuff" him after [REDACTED] "threatened to tase" him.

From two separate recordings during the night of [REDACTED] arrest, that being the recording from inside the police cruiser and the recording inside the police station, [REDACTED] never complained that he was injured. According to the reports of both [REDACTED] and [REDACTED] he never stated that he was injured including during the drive to his home as provided [REDACTED]. During the first complaint filed on [REDACTED] the emails leading up to that date and those following [REDACTED] never asserted that he was injured until [REDACTED] five days after the event.

The photo clearly shows a total of three bruises. The two smaller bruises are consistent with two finger marks that may have resulted by [REDACTED] restraining [REDACTED]. The third and larger bruise is not consistent with the physical interaction as reported in [REDACTED] statement of [REDACTED] report.

The three bruises appear to be aged differently. That being that the larger bruise appears to be relatively "fresh" in terms of when it was submitted to me on [REDACTED]. It would seem that if this bruise occurred during the arrest, it would have been immediately evident. Based on the numerous emails submitted to me by [REDACTED] along with his written statement submitted on [REDACTED] I question why this was not submitted until [REDACTED] as "evidence" of the alleged assault.

I find the timing of [REDACTED] email, attached statement and photograph to be suspect due to the corresponding timing of the Jamestown Press which included an article concerning the arrest being published less than hours before. This article was published despite [REDACTED] request for me to withhold the matter from the newspaper. This request made by [REDACTED] due to the fact that it was he who informed the newspaper of the arrest initially on [REDACTED] by providing them a copy of his civilian complaint.

I determine this specific point of [REDACTED] complaint to be: **unfounded**; meaning the allegation is false or not factual.

CONCLUSION AND FINDINGS

Based on my review of the police reports, [REDACTED] statements both written and verbal, the video recordings, the audio recordings and interviews conducted, I have determined that no policy violation has occurred. Furthermore as summarized above, I have found no merit to [REDACTED] complaint. It appears that [REDACTED] by means of escalating his contact with me in order to lodge a complaint against [REDACTED] and further escalating his complaint to an alleged assault was an attempt to gain leverage in the criminal charges filed against him. I find it noteworthy that [REDACTED] has been arrested six times as an adult. Four of those arrests reportedly included [REDACTED] resisting arrest or obstructing the officers even if done in a passive aggressive manner. It is also noteworthy that four of the aforementioned arrests included alcohol and or drugs at

Ref: 15-1-IA

some level.

The issue of probable cause for his detainment and arrest is a matter that should be adjudicated in the criminal proceeding in the District Court.



Jamestown Police Department
Investigative Report

Case #: 14-3-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: VIOLATION DEPT. RULE
Disposition: EXONERATED

Reporting Officer: [REDACTED]
Signature: _____

LOCATION TYPE: [REDACTED] Zone: [REDACTED]

NORTH RD
JAMESTOWN RI 02835

1 VIOLATION OF DEPARTMENT RULES AND REGS
OCCURRED: [REDACTED]

C

PERSON(S) PERSON TYPE SEX RACE AGE SSN PHONE

1 [REDACTED] REPORTING PARTY [REDACTED]

EMPLOYER: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Work Phone (Primary) [REDACTED]

2 [REDACTED] WITNESS [REDACTED]

EMPLOYER: [REDACTED]

PERSON(S) SEX RACE AGE SSN PHONE

1 [REDACTED] [REDACTED]

CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Home Phone (Primary) [REDACTED]
Home Phone [REDACTED]
Cell Phone (Primary) [REDACTED]
Work Phone (Primary) [REDACTED]
CallBack Number (Primary) [REDACTED]

BODY: [REDACTED]
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: [REDACTED]
PLACE OF BIRTH: [REDACTED]
ETHNICITY: [REDACTED]

[APPEARANCE]


GLASSES WORN: NO

Jamestown Police Department
Investigative Report

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Case #: 14-3-IA

DIRECTOR(S) SUPERVISOR AGE SSN PHONE

EMPLOYER/SCHOOL: 

Ref: 14-3-IA

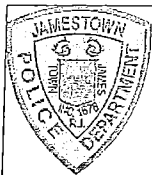
On [REDACTED] advised me that he received a type-written complaint from [REDACTED]. In his complaint, [REDACTED] explains that he was arrested on [REDACTED] by [REDACTED] of this department. A check of police records shows that [REDACTED] was arrested for driving under the influence and refusing to take a chemical test [REDACTED] as a result of a joint DUI task force. [REDACTED] was paired with [REDACTED] when this arrest occurred.

[REDACTED] alleges in his complaint that [REDACTED] insulted him and treated him unprofessionally throughout their contact and arrest. He comments that the female officer [REDACTED] conducted herself in a professional manner.

On [REDACTED] I reviewed the processing room audio and video recording that depicts both [REDACTED] and [REDACTED] dealing with [REDACTED]. Throughout this entire recording both officers treated [REDACTED] with professionalism. I found [REDACTED] demeanor to be [REDACTED].

Same date, I called [REDACTED] and left her a message to contact me.

[REDACTED] left another message for [REDACTED] to contact this officer.



Jamestown Police Department
Investigative Report

Case #: 14-2-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: CONDUCT UNBECOMING
Disposition: SUSTAINED

Reporting Officer: [REDACTED]

Signature: _____

Assisting Officer: [REDACTED]

Signature: _____

OFFICER(S)	SEX	RACE	DOB	SSN	PHONE
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1 [REDACTED]	M	W	[REDACTED]	[REDACTED]	[REDACTED]
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CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]

BODY: NOT AVAIL.
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

EMPLOYER/SCHOOL: [REDACTED]

Ref: 14-2-IA

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

As you are aware, we met on [REDACTED] along with your attorney, [REDACTED] to discuss a pending criminal and internal investigation which involved you as a suspect. At that time, I offered you the opportunity to resign and the investigations would be terminated.

I have received two emails from your attorney indicating that you wish to resign and I confirmed that the investigation would be terminated.

I have on several occasions requested from you and your attorney a written resignation. To date, I have received none. With that being said, I will interpret the email and lack of further communication as your resignation with an effective date of [REDACTED]

[REDACTED]

[REDACTED]

Cc: [REDACTED]

Ref: 14-2-IA

On [redacted] I received a voice message from [redacted] the estranged wife of [redacted]. In her message [redacted] indicated that she had in her possession a video of [redacted] engaged in sex while on duty.

Same date, I made contact with [redacted] by phone. She stated that she gained access to [redacted] personal email account and viewed email exchanges between [redacted] and at least two other parties: [redacted] and [redacted].

[redacted] and I met with [redacted] for an informal interview.

A search of in-house masternames for [redacted] indicated that [redacted] issued her three verbal warnings: [redacted] and [redacted].

Made several attempts to speak with [redacted] by phone. [redacted] she spoke with me and stated she would not cooperate with the Department investigation.

[redacted] and I executed a search warrant at [redacted] and obtained the work schedule of [redacted] for the above listed dates.

[redacted] Alleged traffic stop: [redacted] Work [redacted]

Disciplined

[redacted] Alleged traffic stop: [redacted]

[redacted] Alleged traffic stop: [redacted]

[redacted] suspended pending criminal investigation.

[redacted] video downloaded porn [redacted] work schedule same date

Drop box video of [redacted]

Email exchanges between [redacted]

On [redacted] and I met with [redacted] and [redacted]. I revealed in basic terms the evidence which I was prepared to present should we proceed to a termination process. I offered [redacted] 4 hours to consider resignation.

[redacted] I received an email from [redacted] indicating that [redacted] would be resigning. I confirmed this email by registered mail with an effective resignation date of [redacted].

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[REDACTED]

In accordance with section 42-28.6-13(c) of the Law Enforcement Officers Bill of Rights, you are immediately suspended with pay and benefits pending the outcome of a criminal investigation.

You are to surrender all Department issued equipment immediately. You are not to enter the police station beyond the lobby without express permission from the [REDACTED]

[REDACTED]

Received: _____

Date: _____

Witness: _____



Jamestown Police Department
Investigative Report

Case #: 13-3-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: VIOLATION DEPT. RULE
Disposition: UNFOUNDED

Reporting Officer: [REDACTED]

Signature: _____

OFFENSE(S) A/C PERMIT/AGENCY CITATION

LOCATION TYPE: [REDACTED]

Zone: [REDACTED]

1 VIOLATION OF DEPARTMENT RULE
OCCURRED: [REDACTED]

C

PERSON(S) PERSON TYPE SEX RACE AGE SSN PHONE

1

REPORTING PARTY

DOB: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]

2

WITNESS

DOB: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]

3

WITNESS

DOB: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]

OFFENSE(S) SEX RACE AGE SSN PHONE

1

CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Home Phone [REDACTED]
Work Phone (Primary) [REDACTED]

BODY [REDACTED]
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: [REDACTED]
PLACE OF BIRTH: [REDACTED]
ETHNICITY: [REDACTED]

Jamestown Police Department
Investigative Report

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Case #: 13-3-IA

SEARCHED (S) INDEXED (S) SERIALIZED (S) FILED (S)

[APPEARANCE]

GLASSES WORN: [REDACTED]

2

[REDACTED]

[REDACTED]

CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]

BODY: [REDACTED]
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: [REDACTED]
PLACE OF BIRTH: [REDACTED]
ETHNICITY: [REDACTED]

[APPEARANCE]

GLASSES WORN: [REDACTED]

EMPLOYER/SCHOOL: [REDACTED]

Ref: 13-3-IA

On [REDACTED] the Jamestown Police Department received a letter of complaint from [REDACTED] of [REDACTED]. In her written complaint, [REDACTED] describes an incident that took place at her residence on [REDACTED] at [REDACTED] where [REDACTED] responded for a report of loud music (see Jamestown Police Department Call #13-11682 and Incident Report #13-321-OF). According to [REDACTED] incident report, he was dispatched to a noise complaint at [REDACTED] called in by [REDACTED] of [REDACTED]. When [REDACTED] arrived he could hear loud music coming from the address and attempted to make contact with the residents there. [REDACTED] stated in his report that he was not able to obtain the attention of the residents due to the loud music and the locked six foot stockade fence surrounding the property. At that point, [REDACTED] climbed over the fence to speak with the residents, [REDACTED] and [REDACTED]. [REDACTED] states that he identified himself and asked that they turn the music down. [REDACTED] then went into the residence, turned the music down, and asked [REDACTED] to leave. [REDACTED] attempted to obtain the identity of both parties, and they both refused to provide this information. They then accused [REDACTED] of trespassing on their property. [REDACTED] then asked [REDACTED] to open the gate so he could leave and he refused, telling [REDACTED] to "go out the way you came in". At that point [REDACTED] arrived on the scene and spoke with [REDACTED] and [REDACTED]. They would not identify themselves to [REDACTED] and both officers cleared the scene.

[REDACTED] describes this incident in her letter addressed to the JPD Internal Affairs Bureau, and alleges that [REDACTED] "abused his authority" by: not announcing his presence, entering her property, not identifying himself, and asking her for her name. She further claims that the second officer [REDACTED] did not identify himself, and that officers drove past her house for the next hour. She also alleges she was not immediately provided a copy of the incident report, and that the report was not signed. She concludes her complaint by alleging that all police contact she has ever had in Jamestown is racially motivated.

After these claims were investigated, the following was determined:

1. The allegation that [REDACTED] never announced himself is unfounded (false). [REDACTED] did in fact announce himself prior to climbing over the fence, and it is likely he could not be heard over the loud music.
2. The allegation that [REDACTED] had no right to enter the property at [REDACTED] is unfounded, since officers have a responsibility to investigate fully all complaints and to attempt to mitigate such complaints and take appropriate action. His actions in this regard were appropriate.
3. The allegation that [REDACTED] did not identify himself is unfounded, as [REDACTED] was in uniform and illuminated by his flashlight. Residents complied with his request to turn the music down; evidence that he was clearly recognized as a police officer.
4. The allegation that [REDACTED] should not have asked [REDACTED] and [REDACTED] for their names is unfounded. Officers have an obligation to identify all persons involved in a police complaint.
5. The allegation that the second officer did not identify himself is unfounded. In the written complaint, [REDACTED] acknowledges that [REDACTED] identified himself as the officer-in-charge. He was also in uniform and attempting to gather information related to the noise complaint.
6. The allegation that [REDACTED] was not immediately provided a copy of the incident report is unfounded. [REDACTED] requested the report on [REDACTED] and was provided the report on [REDACTED] only five days later. RI General Laws allow ten business days for public agencies to provide records.
7. The complaint that the report was not signed is considered exonerated (occurred but is lawful or proper) since there is no law or policy requirement that complaints be signed unless it is required as a matter of court procedure.
8. The allegation that officers drove past the residence for the next hour is not sustained.
9. The assertion that this case as well as previous contacts are racially motivated is unfounded. In all cases,

[REDACTED]

Ref: 13-3-IA

officers were investigating legitimate complaints, and their actions have been found to be appropriate.

On [REDACTED], [REDACTED] sent a letter (certified mail) to [REDACTED] which outlines the above conclusions in response to her complaint.



Jamestown Police Department
Investigative Report

Case #: 13-2-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: VIOLATION DEPT. RULE
Disposition: UNDER INVESTIGATION

Reporting Officer: [REDACTED]

Signature: _____

INCIDENT(S) OFFENSE(S) / CHARGE(S) / SECTION

LOCATION TYPE: [REDACTED] Zone: [REDACTED]

1 VIOLATION OF DEPT RULE OCCURRED: [REDACTED] C

PERSON(S) SEX RACE AGE SSN PHONE

1 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

DEPT: [REDACTED]
EMPLOYER: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Home Phone [REDACTED]
Work Phone [REDACTED]
ETHNICITY: [REDACTED]
RESIDENT STATUS: [REDACTED]
VICTIM CONNECTED OFFENSE NUMBER(S): 1
RELATION TO: [REDACTED]

Otherwise Known

PERSON(S) SEX RACE AGE SSN PHONE

1 [REDACTED] M W [REDACTED] [REDACTED]

CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
BODY: [REDACTED] COMPLEXION: [REDACTED]
DOB: [REDACTED] PLACE OF BIRTH: [REDACTED]
LICENSE NUMBER: [REDACTED] ETHNICITY: [REDACTED]

Ref: 13-2-IA

On [REDACTED] at [REDACTED] [REDACTED] was in the station to file a civilian complaint. She completed the *JPD Civilian Complaint Form*. After completing the form, I spoke with [REDACTED] regarding her complaint. She stated that while she was in custody on [REDACTED] she felt as if she was treated unfairly by being made fun of. She went on to say that while she was in the cell, she was concerned about her dog that was with her when she was arrested. She stated that [REDACTED] had been making barking noises as he walked by her cell. She told me that she knew it was [REDACTED] because she could see him pass by the window of the cell. She also complained that an unknown officer was mimicking her as she was calling for [REDACTED]. She stated that she believed the person was outside the cell and was copying her by saying [REDACTED] in a whiny voice. She also complained that an unknown officer was calling her name over the intercom by saying [REDACTED]. I asked [REDACTED] if she could identify the officers that she had contact with that evening. She told me, [REDACTED]. I advised [REDACTED] that the complaint would be investigated by this department. On [REDACTED] [REDACTED] and [REDACTED] were on duty for second shift.

On the same date, I reviewed the camera and audio recording from cell #3, the processing hallway, and the processing room from [REDACTED] from the time of [REDACTED]. During that time, I observed [REDACTED] walk by [REDACTED] cell (#3) and make a barking noise. This occurred on two occasions, once at [REDACTED] and again at [REDACTED]. This can be seen and heard on the recording from the processing hallway. When [REDACTED] is being released after being arraigned by the Justice of the Peace at [REDACTED], she is in the processing room with [REDACTED] and [REDACTED]. She can be heard asking [REDACTED] about the barking and he replies, "I don't know what you're talking about".

At [REDACTED] appears to be sleeping and then you can hear voices in dispatch. She wakes up at [REDACTED] and begins banging on the door. An unknown party comes over the intercom and has a conversation with [REDACTED]. It is unclear what they are saying. [REDACTED] says, "where the fuck is this guy, don't fuck with me" and then the person says something over the intercom. It is unclear what they say. [REDACTED] then says, "I can hear you guys laughing" and [REDACTED] thinks this is funny, the fucking rookie, really. [REDACTED] you're not even a real cop". At [REDACTED] says, [REDACTED] give me my phone call". Then you hear someone say [REDACTED]. It is unclear who says it but it does not appear to come over the intercom. At that time, there aren't any officers in the cell block/processing area. [REDACTED] responds by saying, "fuck off" and then she says [REDACTED] again as if she is mimicking herself.

At [REDACTED] can be heard asking about the Justice of the Peace. She keeps asking, "Where is this guy?" She begins banging on the door with her fists. An unknown party can be heard on the intercom saying, "[REDACTED] the JP will be here soon just relax". That voice sounds like that of [REDACTED]. Then it sounds like a different voice begins to speak to her over the intercom. There is some conversation between that party and [REDACTED] that is unclear and then it sounds as if she says, "Fuck off; my hand is stronger than yours". Then the person on the intercom says, "You're right, you're pretty tough". At [REDACTED] someone comes over the intercom and says, [REDACTED] he's here". She replies by saying, "Ya, no shit. Fuck off [REDACTED]". It should be noted that [REDACTED] can be seen entering the cell block area at [REDACTED] so he could not have been speaking over the intercom.

Ref: 13-2-IA

After reviewing the recordings of the back lot camera and the radio recordings from [REDACTED] I determined the following:

[REDACTED]

Entered the station sally port with [REDACTED]

He moved his car from sally port to back lot at [REDACTED]

He remained in the station until [REDACTED]

[REDACTED]

Was in the station from [REDACTED]

Returned to station from [REDACTED]

[REDACTED]

Returned to the station with [REDACTED] dog at [REDACTED] and enters the station until [REDACTED]

Returned to the station at [REDACTED] until [REDACTED]

Returned to the station from [REDACTED]



Jamestown Police Department
Investigative Report

Case #: 13-1-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: VIOLATION DEPT. RULE
Disposition: UNFOUNDED

Reporting Officer: [REDACTED]

Signature: _____

LOCATION TYPE: [REDACTED] Zone: [REDACTED]

1 ALL OTHER OFFENSES OCCURRED: [REDACTED] C

1 [REDACTED]

DOB: [REDACTED]
CONTACT INFORMATION:
Home Phone [REDACTED] (Primary) [REDACTED]
ETHNICITY: [REDACTED]
RESIDENT STATUS: [REDACTED]
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

Ref: 13-1-IA

On [REDACTED] [REDACTED] came into the police station and spoke with [REDACTED]. He indicated that he wished to file a complaint. [REDACTED] was provided with a complaint form. While in the lobby [REDACTED] appeared to be upset and was using vulgar language. The complaint form was submitted to [REDACTED]. [REDACTED] reported that she was unable to determine the nature of [REDACTED] complaint. [REDACTED], I received the report that [REDACTED] had visited the [REDACTED] and displayed similar behavior. I received further complaints from residents expressing concern over [REDACTED] behavior.

I attempted to make contact with [REDACTED] by phone without success. I was advised that [REDACTED] has a neighbor who is able to contact him and often provides "guidance" for him. I contacted [REDACTED] and spoke at length about [REDACTED] history and behavior. He stated that he would try to offer assistance.

[REDACTED] appeared at the [REDACTED] meeting and spoke during open forum regarding his "complaint." When he finished, I introduced myself to him and scheduled an appointment for him to meet me on [REDACTED] at [REDACTED]. [REDACTED] did not show for his appointment but rather called at [REDACTED]. He asked to reschedule for Tuesday and stated he would call in the morning to determine a time.

As of this report [REDACTED] has not called to reschedule.



Jamestown Police Department
Investigative Report

Case #: 12-5-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]
Occurred Between: [REDACTED]
And: [REDACTED]
Complaint Type: VIOLATION DEPT. RULE
Disposition: UNDER INVESTIGATION
Additional Cases: 12-522-OF

Reporting Officer: [REDACTED]
Signature: _____

OFFENSE(S) TYPE RACE AGE SSN PHONE

LOCATION TYPE: [REDACTED] Zone: [REDACTED]
1 VIOL. OF DEPT. RULE C
OCCURRED: [REDACTED]

PERSON(S) PERSON TYPE SEX RACE AGE SSN PHONE

1 [REDACTED] REPORTING PARTY [REDACTED] [REDACTED] [REDACTED]
DOB: [REDACTED]
CONTACT INFORMATION:
CallBack Number (Primary) [REDACTED]

OFFICER(S) SEX RACE AGE SSN PHONE

1 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
BODY: [REDACTED] COMPLEXION: [REDACTED]
DOB: [REDACTED] PLACE OF BIRTH: [REDACTED]
LICENSE NUMBER: [REDACTED] ETHNICITY: [REDACTED]

[APPEARANCE]

GLASSES WORN: [REDACTED]
EMPLOYER/SCHOOL: [REDACTED]

Ref: 12-5-IA

On [REDACTED] [REDACTED] advised me that he received a civilian complaint from [REDACTED] regarding a domestic altercation. Jamestown Police responded to on [REDACTED] between he and his [REDACTED]. In his handwritten statement, [REDACTED] claims Jamestown Police officer [REDACTED] responded to the call but failed to properly investigate his complaint. [REDACTED] claims he was assaulted and injured during the altercation but [REDACTED] told him he had no injuries and that he showed bias against him. [REDACTED] also provided hospital records that indicate he was seen on [REDACTED] at the [REDACTED] for facial and chest contusions. His statement and copies of the medical records are attached to this report.

I reviewed the police report from this incident, 12-522-OF. According to the police report, [REDACTED] called the station and spoke with [REDACTED], advising that he had been assaulted by [REDACTED]. He claimed [REDACTED] grabbed his throat and tried to throw him down the stairs. The narrative in this report was completed by [REDACTED]. [REDACTED] stated that he spoke to [REDACTED] and [REDACTED] on the front steps of the residence. According to his narrative, [REDACTED] claimed [REDACTED] "shoved and pushed him and grabbed him". [REDACTED] then spoke to [REDACTED] who "admitted to pushing [REDACTED] away from his [REDACTED] room". He later stated [REDACTED] denied punching or grabbing [REDACTED] and that [REDACTED] again stated that he pushed [REDACTED] back and away from his [REDACTED]. [REDACTED] stated in his narrative that he did not observe any sign that [REDACTED] was grabbed or punched. There is no indication that anyone on scene spoke with [REDACTED] or that anyone entered the residence.

Ref: 12-5-IA

On [REDACTED] approximately [REDACTED] hours I took a lobby complaint from [REDACTED] [REDACTED] stated to me that back on [REDACTED] he was in an altercation involving his [REDACTED] He stated [REDACTED] violently assaulted him at his [REDACTED] residence at [REDACTED] [REDACTED] stated that he called the Jamestown Police Department and that two Officer's arrived on scene. He stated when the Officer's arrived on scene, the [REDACTED] conducted his interview outside in the dark. [REDACTED] stated that [REDACTED] failed to investigated the incident properly failing to interview those who were present, never entering the premises to inspect damage, and minimally inspecting [REDACTED] for injuries. [REDACTED] stated he had visible injuries to his throat and chest area. [REDACTED] pointed to an area on the right side of his neck. I did observe a slight red mark that was visible but could not tell the cause of the injury. [REDACTED] stated he photographed his injuries with his cell phone.

[REDACTED] also provided a copy of his medical release form to the Police Department which was added to this report.



Jamestown Police Department
Investigative Report

Case #: 12-4-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]
Occurred Between: [REDACTED]
And: [REDACTED]
Complaint Type: CONDUCT UNBECOMING
Disposition: UNDER INVESTIGATION

Reporting Officer: [REDACTED]

Signature: _____

OTHER (S) A/C OFFERED/CLERK SIGNATURE

LOCATION TYPE: [REDACTED] Zone: [REDACTED]

1 VIOLATION OF DEPARTMENT RULE/REGULATION OCCURRED: [REDACTED] C

PERSON(S) POSITION TITLE SEX RACE AGE SSN PHONE

1 [REDACTED] REPORTING PARTY [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

EMPLOYER: [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Cell Phone (Primary) [REDACTED]

2 [REDACTED] PARTICIPANT [REDACTED] [REDACTED] [REDACTED] [REDACTED]

DOB: [REDACTED]

3 [REDACTED] PARTICIPANT [REDACTED] [REDACTED] [REDACTED] [REDACTED]

DOB: [REDACTED]
CONTACT INFORMATION:
CallBack Number (Primary) [REDACTED]

OFFICER(S) SEX RACE AGE SSN PHONE

1 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

BODY: [REDACTED]
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]
COMPLEXION: [REDACTED]
PLACE OF BIRTH: [REDACTED]
ETHNICITY: [REDACTED]
EMPLOYER/SCHOOL: [REDACTED]
OCCUPATION: [REDACTED]

Ref: 12-4-IA

On [REDACTED] and I met with [REDACTED] and issued the below attached letter of discipline. [REDACTED] accepted the four day suspension without appeal.

It is my duty to inform you that you are being charged with the following violations of department rules and regulations:

1. CHARGE: Rules and Regulations Article 5.6-Performance of duty.
2. CHARGE: Rules and Regulations Article 5.19-Conduct unbecoming.
3. CHARGE: General Order 350.30- Audio/Video Equipment

SPECIFICATIONS: On [REDACTED] you were assigned to work an overtime detail for DWI enforcement. At approximately [REDACTED] you stopped a motor vehicle on [REDACTED] it was determined that the vehicle was operated by [REDACTED] and [REDACTED] was a front seat passenger. During the stop you asked [REDACTED] perform several field sobriety tests and finally submit to a portable breath test.

During the course of this investigation, [REDACTED] arrived on scene as did a member of the Rhode Island State Police. You further learned that [REDACTED] had a criminal history which included drug offenses.

While [REDACTED] remained outside her vehicle, you verbally reported to [REDACTED] that she was "was just over the limit" and requested permission to release her without charges. [REDACTED] agreed and [REDACTED] was allowed to drive her vehicle away from the scene.

It later came to the attention of [REDACTED] that the PBT administered to [REDACTED] was actually .106, which is clearly not "just over the limit." This fact was brought to the attention of [REDACTED]. As a result a further inquiry was made.

During said inquiry, it was learned that the PBT test did in fact result in a reading of .106 and that you mis-portrayed this potential evidence to [REDACTED]. That you did not wear the audio recording mic as required. That you did not make any further inquiry of the passenger despite knowing his criminal history and drug offenses. That you provided the female operator your personal cell phone number during said traffic stop and exchanged text messages through the morning. And that you allowed an intoxicated driver to continue to drive her vehicle.

In regard to the above charges and specifications, and in accordance with the Law Enforcement Officer's Bill of Rights, specifically 42-28.6-4, I am imposing the following penalty: You shall be immediately removed from your current assignment as an FTO. And suspension without pay from the Jamestown Police Department for a period of four (4) scheduled work days. Should you decide to accept this penalty, it will take effect five days from your receipt of this letter. You have five days from the date of receipt of this letter to submit a request for a hearing in writing. The request shall be directed to me, as will all future communications related to this matter. Failure to file this request within a five day period shall constitute a waiver of the right to a hearing. Within five days of receipt of your written request for a



Ref: 12-4-IA

hearing, the Department will advise you of the name of the police officer chosen to represent the Department at the hearing. You must advise the Department of your choice for the hearing board within five days of your submittal of the request for a hearing. Failure to do so will constitute a waiver of this right.

In accordance with section 42-28.6-13(F) of the Law Enforcement Officers Bill of Rights, should you request a hearing, you will be suspended with pay and benefits pending the outcome of this matter.



Signed and sworn before me this _____ day of _____

Notary Public

Received: _____

Witness: _____

Ref: 12-4-IA

On [redacted] at [redacted] [redacted] came into my office to speak with me. He handed me a typed letter, reporting that on [redacted] [redacted] committed several violations of department rules and regulations. The letter describes a traffic stop [redacted] made on that date during a "Blue Riptide" DUI enforcement detail. On that date, at [redacted] hours, [redacted] stopped [redacted] [redacted] dob [redacted] on [redacted] in [redacted] for a laned roadway violation. He later called over the radio that he would be checking the condition of the operator. At this time [redacted] was dispatched to assist. When [redacted] arrived at the scene, [redacted] was giving [redacted] the one leg stand test. According to [redacted] [redacted] reported to him that [redacted] had passed the field sobriety tests and he would be giving her a preliminary breath test. [redacted] stated [redacted] gave [redacted] the PBT and then advised him that she was "only one point over" and requested permission to "give her a break". [redacted] stated that he did not see the PBT readout himself, but that from what [redacted] said he assumed he meant she blew somewhere around a .09% BAC, and that it was fine with him to let her go. In his letter to me, [redacted] stated that he then observed [redacted] hand [redacted] his telephone number. He said he knew it was [redacted] phone number because he was later told by [redacted], who was also on duty at the time, that [redacted] told her that [redacted] would be texting him when she got home.

[redacted] further stated in his letter to me that it was brought to his attention at a later time from "other department members" that the PBT reading was in fact .106% BAC. In conversation [redacted] told me [redacted] was the one who checked the device. He said he later checked the PBT and confirmed that the last test on the device read .106%, and that [redacted] lied to him. [redacted] also provided me with an abbreviated version of the IMC chat log from that time period which shows chat messages from [redacted] to [redacted]. He did not provide the messages from [redacted] to [redacted].

Same date, I checked the Drager Alcotest PBT and observed the last test on the device read .106%. I photographed the results and attached the picture to this report. I also reviewed the mobile video from the traffic stop and made a recording of it on a DVD. In the video, one can see [redacted] stops [redacted] approaches her vehicle, obtains license and registration information, goes back to his patrol vehicle for several minutes, returns to [redacted] vehicle for about a minute, then walks away again and this time she exits her vehicle behind him and they stop between the patrol vehicle and her vehicle. At this time [redacted] turns his radio on and radios to the station that he will be checking the condition of the operator. A check of the radio recording shows this transmission was made at [redacted]. [redacted] begins to give the standard field sobriety tests to [redacted]. [redacted] arrived on the scene just as [redacted] finished the walk and turn test, and he is there while she performs the one leg stand test. After the SFST's are complete, [redacted] is seen giving [redacted] the PBT. He then walks out of view of the camera with [redacted]. He then walks back to the hood of the vehicle and places the PBT back in its case on the hood. He and [redacted] return to [redacted] and after several minutes of what appears to be [redacted] speaking to her, [redacted] walks out of view of the camera. A few minutes later, [redacted] is seen writing something on a small piece of paper and handing it to [redacted]. She then re-enters her vehicle and drives away. At this time [redacted] clears the scene and drives away with the PBT still on the hood of the vehicle. He travels a short distance, the PBT falls off the hood, he stops the vehicle, and shortly takes off again. At [redacted] the radio recording shows [redacted] radioed he had cleared from the scene and that the operator was not operating under the influence.

I also reviewed the entire IMC chat log from the shift. Part of the messages refer to the fact that [redacted] forgot to return [redacted] licence and registration to her before he allowed her to leave. Although it is not perfectly clear, one may infer that [redacted] asked [redacted] to call [redacted], and provided a cell phone number for her over the chat message. [redacted] later asks [redacted] if he texted [redacted] to which he replied "yes, she made it home without being raped". There is also mention of a passenger in [redacted] vehicle, a [redacted], who it is assumed [redacted] is referring. In fact, [redacted] advised [redacted] over the radio that this subject had many previous drug arrests. She further sent a chat message saying she assumed he was a passenger in the vehicle and added him to the call. In his reply, [redacted] sent a message to [redacted] stating "he was... poor girl giving that kid a ride home. she is freaked out cause she works with him but barely knows him. [redacted] and I told her he is a shitbag". A copy of all the chat messages from this time period are attached to this report.

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IMC records indicate that [REDACTED] came into the police station and retrieved her license and registration, see call #12-9551 attached to this report.

Same date, [REDACTED] I spoke with [REDACTED] regarding this report. He confirmed that he inspected the PBT on Friday morning at the beginning of his shift and noted that the last reading was a .106% BAC. He said he told [REDACTED] as well as other officers at the time. He was aware of the circumstances described in this report and stated to me that there are several members of this department who are aware of it as well. He stated he would not name any names but that if I questioned the people who are on the schedule for the date in question that I would find many people who would tell me that they were witness to [REDACTED] and [REDACTED] talking and joking about the situation. [REDACTED] added that it was his opinion that [REDACTED] only made this report to me after he realized so many members of the department knew about it, for fear that I would find out and hold him responsible for [REDACTED] actions.

Same date, [REDACTED] I spoke with [REDACTED] again. I asked him who he has spoken to about this report. He stated that aside from [REDACTED], he spoke with [REDACTED] about it, and then on Monday night he spoke with [REDACTED] regarding the PBT reading. He stated he has not spoken of this incident to any other department member. I told him I would be interviewing other department members and asked him if there was anything else he would like to tell me and he reiterated that he had no other conversations regarding this incident, and that he has reported what he knows of this incident in its entirety.

[REDACTED] spoke with [REDACTED] about this report. I asked her to tell me what happened with regard to the traffic stop on [REDACTED]. She told me [REDACTED] called out the stop over the radio, then advised he was checking condition, then later told her the operator was "negative 10-91", meaning not intoxicated. During the stop she said he ran a male subject and she advised him that this subject had multiple arrests on his cross agency check. She said she later confirmed he was a passenger in the car and she entered him into the call. She said that after a few minutes both officers cleared. She stated that shortly after that she received a chat message from [REDACTED] that he had forgotten to return the operators license and registration to her. She said she asked him if he wanted her to call the operator and advise her. [REDACTED] then called [REDACTED] on her cell phone. He asked her to "hold off on that". She said that at point she could not understand why he didn't want her to call the operator and during the conversation [REDACTED] advised her that he had the operators number and would let her know. Shortly after that phone conversation, [REDACTED] sent her another chat message asking her to call the operator, [REDACTED] and provided her cell phone number. When she asked him why, since she assumed he had called or texted [REDACTED] he told her he did text her, but he just wanted to get it on the recorded line as well. The chat messages confirm this information. [REDACTED] stated that she did call and speak with [REDACTED] who advised her she would be in to pick up the property later in the day. [REDACTED] said she was upset that she knew something was going on that wasn't quite right and that she felt she was being dragged into it. Later that evening, [REDACTED] returned to the station and [REDACTED] asked him what was going on. [REDACTED] told me that [REDACTED] then told her everything that had happened on the stop, including the fact that the operator had failed the preliminary breath test and that he had given her his phone number. She said she questioned the appropriateness of that in light of the fact she failed the PBT and was allowed to drive away, and asked him if he was concerned that what he did was wrong. She told me he said he has done it plenty of times in the past and it wasn't a big deal. She said he told her that was how he met [REDACTED] and [REDACTED] (two females he apparently dated in the past). She added that during the conversation he mentioned that a RI State Police trooper stopped by the scene and observed him giving [REDACTED] the paper with his number on it. [REDACTED] said that throughout her conversation with [REDACTED] his cell phone continued to receive text message alerts. She said she does not know how many but she said "several". She said that at one point [REDACTED] showed his phone to her to demonstrate that he was going to delete the text, but she didn't even look because she said she didn't want to know what the text was and get further dragged in. She said she told him it didn't matter if he deleted the text because she would "probably send another one in two minutes". She said the phone rang again and he told her the text was from [REDACTED] just to say thank you to him. She said she observed him texting back to [REDACTED] but she did not ask him what he was writing, though it seemed like he was typing for a while (more than "you're welcome"). She said that later in the shift [REDACTED] returned to the station and

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she spoke with him about her concerns relating to her conversation with [REDACTED]. She said she reported the conversation and told him that she did not want to get dragged into anything. [REDACTED] advised me that later in the morning she spoke with her husband [REDACTED] about this incident when he arrived for duty. At that time [REDACTED] retrieved the PBT and noted the actual reading. She said she advised [REDACTED] of the number at that time.

Same date, [REDACTED] spoke with [REDACTED] in my office. I asked him if he learned of the PBT reading on Friday morning and he said that [REDACTED] sent him the results via a text message after he left the station for the day. He said he did not see the PBT readout for himself until [REDACTED] night when he spoke to [REDACTED]. He said he wanted to emphasize the fact that he never talked about this incident with any other officer, and provided me with a type-written report of his work schedule from [REDACTED] to [REDACTED] night and who was in the station when he was here. The report lists seven officers who he states he never spoke to, and also reaffirms that he only spoke with [REDACTED] and [REDACTED].

Same date, [REDACTED] I listened to the telephone recording from [REDACTED] at [REDACTED] where [REDACTED] calls [REDACTED] regarding the fact that [REDACTED] forgot to return her license and registration. [REDACTED] replies to her, "yeah, I did hear, um, I realize that, I understand".



Jamestown Police Department
Investigative Report

Case #: 12-3-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]

Complaint Type: VIOLATION DEPT. RULE
Disposition: SUSTAINED

Reporting Officer: [REDACTED]

Signature: _____

Assisting Officer: [REDACTED]

Signature: _____



1 [REDACTED]

CONTACT INFORMATION:

Home Phone (Primary) [REDACTED]

BODY: [REDACTED]

DOB: [REDACTED]

LICENSE NUMBER: [REDACTED]

COMPLEXION: [REDACTED]

PLACE OF BIRTH: [REDACTED]

ETHNICITY: [REDACTED]

EMPLOYER/SCHOOL: [REDACTED]

Ref: 12-3-IA

[REDACTED]
Administrative Interview: [REDACTED]

Present:

[REDACTED]
[REDACTED]
[REDACTED] (union representative for [REDACTED])

[REDACTED] So [REDACTED] just before we start with the interview, I just want to clarify a couple of things. One is that you were notified of the complaint against you on the [REDACTED]. Is that correct?

[REDACTED] Yes

[REDACTED] OK, and you were ordered to attend this hearing... interview this morning?

[REDACTED] Yes.

[REDACTED] Alright. And when I notified you of the complaint, the nature of the complaint, were you also provided a copy of 42-28.6-2...

[REDACTED] Yes.

[REDACTED] ... of the Rhode Island General Laws?

[REDACTED] as you know, thisthere are certain rights that you are entitled to, during the course of this investigation. I'm going to read those to you. You are required to submit official reports regarding any police activity. Failure to submit reports on information regarding police activity will lead to an investigation of insubordination. You do not have the right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that statements or responses, either oral or in writing, constitute an official police report. You are further advised that by law, any statements, responses or answers to questions made by you in the course of the interview, interrogation, examination or hearing cannot be used against you in any subsequent criminal proceedings. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the question. If you persist in refusal after the order has been given to you, you are advised that such issues constitute a violation of rules and regulation, policies and procedures of the Jamestown, Police Department and will serve as the basis for imposition of discipline, up to and including discharge of employment. Questioning during interview and investigations will be conducted in accordance with the Law Enforcement Officer's Bill of Rights and applicable collective bargaining agreement. You have the right to counsel if you choose and be present with you at this hearing, interrogation, or examination, and you may consult him or her as you desire. You have the right to be given a reasonable time to obtain counsel of your choosing. You are advised that this is strictly an administrative proceeding. It is not a criminal hearing, interrogation or examination. Any statements, responses or answers to questions made in the course of an interview, interrogation, examination or hearing may be used as a basis for disciplinary action up to and including discharge. You may view the complete investigations. Copies of the administrative investigation will not be made. If you disagree with the finding, you may submit a letter of exception, an explanation to be filed with the case. If an investigation/interrogation results in a recommendation of some action which will be considered punitive measure, and before taking such action you will be notified of your right to a hearing under the RI General Laws 42-28.6-4. The questions that you will be asked will be specifically directed, directly and narrowly related to this incident in your official duties and responsibilities as a Jamestown Police Officer. You may be disciplined if you refuse to answer any appropriate question [REDACTED] if you want to read that over again, you are more than welcome to. Um, but if you understand those and don't have any questions you just need to sign right there for me.

[REDACTED] want to witness that?

[REDACTED] sure.

[REDACTED] the one incident that I want to start with is related to a specific traffic stop that was made on, or which was

Ref: 12-3-IA

allegedly [REDACTED] at approximately [REDACTED] in the [REDACTED]. Do you recall that particular...

[REDACTED] unintelligible

[REDACTED] interaction with [REDACTED]. Can you tell me exactly what happened with [REDACTED]

[REDACTED]: uh, she came up to me, you mean that day?

[REDACTED]: uh, huh.

[REDACTED]: Yeah, she came behind me, I don't know, approximately [REDACTED] later, as I was entering the data, uh, we briefly spoke, I don't know, about the weather or something, I don't even remember what it was.

[REDACTED]: uh huh

[REDACTED] and then approximately, I don't know, [REDACTED] later she chatted me over the IMC and asked why, or what I put a verbal warning in for.

[REDACTED]: OK. So just to back up, did you radio a traffic stop?

[REDACTED]: Yes.

[REDACTED]: ...on that day at that time?

[REDACTED]: Yes.

[REDACTED]: and it was specific...

(unintelligible)

[REDACTED]: ... [REDACTED] plate that you radio'd out that you'd be out with that vehicle on [REDACTED]

[REDACTED]: Correct.

[REDACTED]: alright. And did you call clear .. the radio?

[REDACTED]: Uh, yes, afterwards, right/

[REDACTED]: and did you ask the dispatcher to enter a warning preceding?

[REDACTED]: No, I did that all on my own.

[REDACTED]: ok, so you, went into IMC and entered a warning, a verbal warning for speeding for that?

[REDACTED]: Right, I created the whole traffic stop itself.

[REDACTED]: ok, so, did you in fact stop that car?

[REDACTED]: No.

[REDACTED]: Did you have any contact at all with the operator or owner of that vehicle car at all?

[REDACTED]: No, sir.

[REDACTED]: ok. So that is a completely fictitious traffic stop in which you created a record for, is that correct?

[REDACTED]: Yes.

[REDACTED]: ok. So, later on, it was, somewhere around [REDACTED], were you directed by [REDACTED] to complete a detailed report of that traffic stop?

[REDACTED]: Yes. it was, if that was [REDACTED] then yes.

[REDACTED]: Was that the report?

[REDACTED]: Correct.

[REDACTED]: ok. So in that report, you're indicating that, you're admitting that you just made up that traffic stop and never had contact with that vehicle at all?

[REDACTED]: Yes, sir.

[REDACTED]: ok. [REDACTED] I have a number of other traffic stops that were entered by you specifically and I want to go over those with you. This traffic stop was made [REDACTED]. Similar circumstances, in which you entered a traffic stop [REDACTED] indicated that there was a verbal warning to the operator for speeding. Do you recall that traffic stop?

[REDACTED]: No, but I probably did make it up. Yes.

[REDACTED]: So you don't know if this was an actual traffic stop or if you fabricated that traffic stop?

[REDACTED]: Correct.

[REDACTED]: ok. And this traffic stop here, on [REDACTED] this one is on [REDACTED]. Do you recall that traffic stop?

[REDACTED]: No, I do not.

[REDACTED]: ok. Can you say whether that was an actual traffic stop or you fabricated that?

Ref: 12-3-IA

[REDACTED]: Right. I probably fabricated that one as well. Probably along with all the other ones you have there.

[REDACTED]: ok.

[REDACTED]: I mean, I would have to go back and..

[REDACTED]: Ok, so to your estimation, how long have you been fabricating traffic stops?

[REDACTED]: um, I don't even know. I think.. I honestly don't know.

[REDACTED]: ok, so if there was a, so you wouldn't have a record of the traffic stops that you actually performed, as opposed to those that you fabricated?

[REDACTED]: No.

[REDACTED]: So there's no way that you could help us to reconcile that record that has been created

[REDACTED]: No, sir no. I mean, right.

[REDACTED]: you know, obviously, you're familiar with cross agency check?

[REDACTED]: yes.

[REDACTED]: and you know that that record is available to every police officer, essentially in Rhode Island.

[REDACTED]: yes.

[REDACTED]: so you know that this record that you created, that you fabricated, is available to ...

[REDACTED]: everyone, yes.

[REDACTED]: ...everyone in the state of Rhode Island. OK. And you're obviously certified to access the RILETS system, the NCIC system, Triple I System. Do you view the use of this information and then the fabrication of those charges is a misuse of the RILET system?

[REDACTED]: yes.

[REDACTED]: ok. So again, [REDACTED] just to refresh my memory, I'm not sure if I asked you this or if you answered this, but how long have you been doing this?

[REDACTED]: Not, not long. Like, probably within the last year, I would think.

[REDACTED]: ok, for about a year you think? ...So if I were attempting to reconcile and correct these records, you would have to look back a year?

[REDACTED]: Yes, I would imagine. Right.

[REDACTED]: you don't think anything beyond a year?

[REDACTED]: I can't.. no. I.. if you go back and then something comes up, we can... I can help you try to go that route.

[REDACTED]: [REDACTED] another incident related to reporting, do you recall a conversation with [REDACTED] related to entry in the gas log, entering the mileage in the gas log?

[REDACTED]: Yes.

[REDACTED]: Alright, you know that she documented that particular incident in which she alleged that you, basically falsified your mileage in the gas log.

[REDACTED]: Yes.

[REDACTED]: ok, and what was your reason for that? What was your explanation for putting in a false mileage in the gas log?

[REDACTED]: um, I don't recall. I'd have to read whatever she wrote down.

[REDACTED]: So that's.. you have access to that..that's in Guardian Tracking

[REDACTED]: right, right.

[REDACTED]: confidential use so...

[REDACTED]: right.

[REDACTED]: So is it for no other reason other than you just didn't feel like getting any of this written down?

[REDACTED]: Right. The mileage used for gas, I kind of...

[REDACTED]: Yeah, the mileage was what was in question. Because as you know, we had an issue, a maintenance issue and we're trying to reconcile that with dealership, and, so, when you entered the mileage, you just made a number up, or was it based upon mileage that you felt you should have traveled during your shift?

[REDACTED]: Yeah, probably the mileage I traveled during my shift. Correct.

[REDACTED]: ok. So is it fair for me to say that you overestimated the mileage so...

[REDACTED]: No.

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[REDACTED]: ...it wouldn't bring attention to the lack of mileage you were driving during your shift?

[REDACTED]: Oh, no, not at all. No, no, I'm on the road all the time, driving around.

[REDACTED]: Ok. And, back in [REDACTED] do you remember an incident of you radioing a check of the [REDACTED] in which, [REDACTED] confronted you on that?

[REDACTED]: Yes.

[REDACTED]: And, uh, when you radioed that in, did you check the [REDACTED]

[REDACTED]: Yes. I was actually going up [REDACTED], I checked it, on [REDACTED], continued up to [REDACTED] cuz I remember I was on the phone.

[REDACTED]: Yup

[REDACTED]: I came back, I remembered, oh, I forgot to do [REDACTED] drove by [REDACTED] pulled it out after I already put the check in.

[REDACTED]: So, you're driving up to [REDACTED] you check the [REDACTED] don't radio it in at the time,

[REDACTED]: Correct.

[REDACTED]: You continue on to [REDACTED], you then radio it in?

[REDACTED]: No, I go up to [REDACTED], on my way back,

[REDACTED]: realize you forgot to radio it in...

[REDACTED]: right, I actually remember, it was almost like no one was around...(unintelligible) [REDACTED] by the time...

[REDACTED]: ok. ok. Alright [REDACTED] we're all done. All set. That's all I have for today.

[REDACTED]: Maybe you can just talk about [REDACTED]

[REDACTED]: It's a park, [REDACTED]

[REDACTED]: That's what I thought

END

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[REDACTED] forwarded report indicating that on [REDACTED] while working patrol at approximately [REDACTED] [REDACTED] radioed dispatch that you were conducting a traffic stop on [REDACTED]. The radio transmission and subsequent entry into the IMC data base indicated that he was reporting a traffic stop for a speeding violation in which he issued a verbal warning. It was subsequently determined that he fabricated this traffic stop. In a compelled administrative interview on [REDACTED] [REDACTED] he confirmed that this traffic stop did not occur and that he in fact fabricated the report. Through further questioning, he admitted to fabricating the majority of your reported traffic stops for approximately one year. All of which were created by access to the RILETS terminal as well as false entries into the IMC Records Management System.

As a result, a four day suspension, loss of 30 days of accrued time were revoked and he placed on probation for a period of one year. [REDACTED] did not appeal discipline.



Jamestown Police Department
Investigative Report

Case #: 12-2-IA

Date/Time Reported: [REDACTED]
Report Date/Time: [REDACTED]
Occurred Between: [REDACTED]
And: [REDACTED]
Complaint Type: VIOLATION DEPT. RULE
Disposition: EXONERATED

Reporting Officer: [REDACTED]

Signature: _____

PERSON(S) PERSON NAME SEX RACE AGE SSN PHONE

1 [REDACTED] REPORTING PARTY [REDACTED]
[REDACTED]
[REDACTED]

PERSON(S) PERSON NAME SEX RACE AGE SSN PHONE

1 [REDACTED] 00 NOT AVAIL [REDACTED]
[REDACTED]

BODY: NOT AVAIL.
DOB: NOT AVAIL

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

[REDACTED]

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I received a Civilian Complaint Form from [REDACTED]. In her report, [REDACTED] states she has been stopped three times within one week, in the same 1-mile radius, for "mostly no good reasons". She goes on to describe the circumstances of her three traffic stops. I did an IMC check of her record and found that [REDACTED] of this department, did stop [REDACTED] twice on [REDACTED] - once in her own vehicle and once in a friend's vehicle - and once on [REDACTED] again in her vehicle. The stops on [REDACTED] resulted in two verbal warnings and on [REDACTED] she received a citation for not wearing a seatbelt. I noted that [REDACTED] was working the state-funded "Blue Riptide" traffic enforcement details each time [REDACTED] was stopped.

[REDACTED] called and spoke with [REDACTED] about her complaint. She stated she was frustrated about being stopped three times in a week and just wanted to document her concerns. She explained that she lives on [REDACTED] and her boyfriend, [REDACTED] lives on [REDACTED] and she drives between those two locations several times a day. She stated she is afraid to drive in her own neighborhood for fear of being stopped by police. She then went on to say that she felt the stops were not for legitimate violations; she expressed that she feels the violations were somehow contrived and the officer is singling her out for an unknown reason. She said that before the first stop she had never seen this officer before. She was also upset because the first stop occurred while she was driving a friend's car with her boyfriends two young sons in the back seat. She said [REDACTED] told her he stopped her because he thought the children were improperly restrained, but after stopping her he realized they were properly restrained (his narrative corroborates this). She said she felt he made that reason up just to pull her over because he must have some personal problem with her. I asked her about his demeanor during each of these stops and she said he was polite to her, though at one point on the last stop he "cut her off" while she was trying to explain about being a resident of [REDACTED]. She said she wasn't trying to say residents shouldn't get tickets but he assumed that and wouldn't let her express her point.

I explained to [REDACTED] about the Blue Riptide traffic enforcement details, and that this particular week we had a number of extra patrols out due to a statewide enforcement wave for seatbelt violations ("click it or ticket"). I also explained the purpose of the details, and that [REDACTED] being the most junior officer in the department, is forced into many of the details he works. That particular week in question, [REDACTED] in fact worked four, four-hour enforcement details. She agreed that this was very likely the reason that he was the one who had stopped her each of the three times. She went on to say that the second time she was stopped it was for a stop sign violation which she said she thought she stopped properly. She said she was not cited in this incidence either. The third time she was stopped for a seatbelt violation. She explained the officer could not have seen whether she was wearing her belt or not since it was dark out, though when I asked her whether she was wearing her belt she said "I thought I was, but sometimes I forget to put it on". I told her the night-time seatbelt enforcement details are a two-officer operation, where one officer acts as a "spotter" outside the vehicle, often in plain clothes calling violations to the second uniformed officer via portable radio. I told her that it was likely that the plainclothes officer spotted her violation and called out the information before [REDACTED] even saw that it was her. I explained to [REDACTED] that I had not yet spoken to [REDACTED] and that I was offering her this information because it does shed some light on the circumstances of her complaint. She agreed and told me she felt much better after speaking with me. She said she did not expect me to investigate her complaint any further, that really she was just angry about the three stops in a week and wanted to document her frustration. I told her that I would be speaking to [REDACTED] about her complaint and that I would be in touch with her after that just as a matter of protocol. She thanked me for listening to her.

[REDACTED] I spoke with [REDACTED] in my office about this complaint. [REDACTED] explained that on the first stop [REDACTED] he was working a seatbelt enforcement detail with [REDACTED] who

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called out to him about the children being unrestrained. He said when he stopped her the children were in fact belted properly, though one of the children was pulling on the seatbelt which may have been the reason it appeared he was not wearing it. He said he gave her a warning about the proper use of child restraints and cleared without incident. The second time he stopped her he was on a DUI enforcement detail later that same evening. He said he observed her travel eastbound on [REDACTED] without stopping at the posted stop sign at the intersection with [REDACTED]. He stated he stopped her in front of [REDACTED] and that she recognized him before he recognized her since she was operating a different vehicle. He told her about the violation, explained he was on a DUI enforcement detail and that since she had no symptoms of intoxication he gave her a warning and cleared again without incident. The third stop on [REDACTED] was again a seatbelt enforcement detail he was working with [REDACTED]. He stated [REDACTED] was stationed on foot on [REDACTED] by the intersection with [REDACTED]. He radioed the vehicle to [REDACTED] stating the operator was not wearing her belt. [REDACTED] stated that when he stopped her she said she was in the process of putting it on. He said he cited her for not wearing the seat belt. He said she began to tell him that she is a resident but he did cut her off by telling her it did not matter, all drivers, resident or not, must comply with the law. He said he cleared without further incident.

After reading the complaint, looking into the circumstances of each stop, speaking with both [REDACTED] and [REDACTED], I have determined that there have been no violations of policy, procedure, rules or regulations of this department. I explained this to [REDACTED] and told him the incident would be documented as such. I also wrote a letter to [REDACTED] indicating my findings.