Charlestown Police Department Investigative Report Case #: 09-1-IA

Page: 1 02/11/2016

Date/Time Reported: 10/30/2009 @ 1600 Report Date/Time: 11/03/2009 @ 1155

Occurred Between: 10/24/2009 @ 1800

And: 10/25/2009 @ 0700

Complaint Type: Officer Initiated

Disposition: Closed

Reporting Officer: Lieutenant Patrick McMahon

Signature:

OFFENSE (S) TITLE/CHAP SECTION LOCATION TYPE: Government/Public Building Zone: West 4901 OLD POST RD CHARLESTOWN RI 02813 PROHIBITED CONDUCT C SECT II OCCURRED: 10/25/2009 B 0200 PERSON(S) PERSON TYPE AGE PHONE WITNESS TOUT OLD POST RD NOT AVAIL 401-364-1212 CHARLESTOWN RI 02813 DOB: EMPLOYER: CHARLESTOWN POLICE DEPT 401-364-1212 CONTACT INFORMATION: Home Phone (Primary) 401-364-1212 OFFICER(S) SSN PHONE OT OTH FORT RD NOT AVAIL 401-364-1212

CHARLESTOWN RI 02813 CONTACT INFORMATION:

Home Phone (Primary) 401-364-1212 Work Phone (Primary) 401-364-1212

> BODY: NOT AVAIL. DOB:

LICENSE NUMBER: NOT AVAIL.

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME

EMPLOYER/SCHOOL: CHARLESTOWN POLICE DEPARTMENT 401-364-1212

4901 OLD POST RD CHARLESTOWN RI 02813

OCCUPATION: POLICE OFFICER

4901 OLD POST RD CHARLESTOWN RI 02813

NOT AVAIL

401-364-1212

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Case #: 09-1-IA

OFFICER(S)

SEX RACE AGE SSN

CONTACT INFORMATION:

Home Phone Work Phone

(Primary)

401-364-1212

(Primary)

401-364-1212

BODY: NOT AVAIL.

DOB:

COMPLEXION: NOT AVAIL.

LICENSE NUMBER: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

EMPLOYER/SCHOOL: CHARLESTOWN POLICE - 401-364-1212

4901 OLD POST RD CHARLESTOWN RI 02813

OCCUPATION: POLICE OFFICER

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Charlestown Police Department NARRATIVE FOR LIEUTENANT PATRICK J MCMAHON

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Ref: 09-1-IA

On 10/30/2009 at approximately 1600 hrs., I, Lt. Patrick J. McMahon, Executive Officer and Administrative Lieutenant for the Charlestown Police Department received a written order from Col. Jack Shippee stating the following:

"Lt., I was hoping that the officers involved in last weekend's incident would have come to me to report and explain what took place on 24/25 October. As I have been told by other officers there was aphysical altercation between two of our officers while there were off duty.

It's been five days since the incident and they have had ample opportunity to come forward. Under Department General Orders you as the Administrative Lieutenant handle internal matters. I am requesting that you look into the matter and report back to me in a timely manner with your findings and recommendations."

On 11/03/2009 at approximately 1545 hrs., I, Lt. McMahon, advised of his Garrity Rights. I asked him if he understood his Garrity Rights and he indicated YES. I then asked him if he wished to have a representative from his collective bargaining unit or other representative of his choice present during the interview and he stated NO. I then began a questioning him with respect to the above order. (See attached statement.)

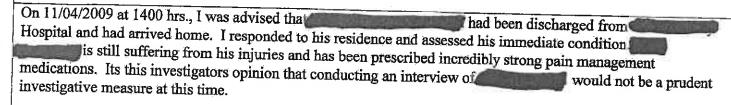
On 11/03/2009 at approximately 1700 hrs., I, Lt. McMahon, advised Mf his Garrity Rights. I asked him if he understood his Garrity Rights and he indicated YES. I then asked him if he wished to have a representative from his collective bargaining unit or other representative of his choice present during the interview and he stated NO. I then began a questioning him with respect to the above order. (See attached statement.)

At this time still remains hospitalized and under the influence of significant amounts of pain management narcotics as prescribed by his physician. His questioning/interview in this matter will be forthcoming upon his discharge from the hospital.

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SUPPLEMENTAL NARRATIVE FOR LIEUTENANT PATRICK J MCMAHON

Ref: 09-1-IA



On 11/04/2009 at 1635 hrs., I received a faxed copy of the CAD-call screen from the CT State Police, out of Montville, CT reporting they had received a call for a disturbance on I-95(S) in North Stonington. That Trp. was dispatched to the call and Rhode Island State Police was called for assistance as it was reported to be a disturbance on a 'bus'.

On 11/05/2009 at 1330hrs., I contacted the Rhode Island State Police - Hope Valley Barracks and requested a faxed copy of their call screen indicating they were called to assist CTSP. The desk trooper indicated they were in fact called to assist, however, while the RISP was enroute, CTSP called and cancelled their response. The desk trooper indicated he would have to seek his Sergeant's permission before he was able to fax over a copy of the call screen.

On 11/07/2009 at approximately 1245 hrs., I, Lt. McMahon, advised of his Garrity Rights. I asked him if he understood his Garrity Rights and he indicated YES. I then asked him if he wished to have a representative from his collective bargaining unit or other representative of his choice present during the interview and he stated "NO Sir". I then began a questioning him with respect to the attached order. (See attached statement.)

As of 11/08/2009 at 12Noon, RISP still has not responded to my request for a copy of their call screen relative to their call for service.

SUPPLEMENTAL NARRATIVE FOR LIEUTENANT PATRICK J MCMAHON

Rof: 09-1-IA

Facts as they relate to this investigation: That on Saturday, October 24th, while off-duty, had the occasion to rent a limousine/bus himself, his girlfriend and other invited guests to accompany him while celebrating his birthday. He rented this mode of transportation so as to have a designated driver for this event. Other invited guests were determined to also include off-duty members of the Charlestown Police Department; and and The birthday celebrants took the bus north to Providence where they went out to a local night club and then returned at the end of the evening back to Westerly via Rte 95 into CT due to the location of the starting point, residence in the Springbrook section of Westerly. While enroute back from Providence, an event unfolded on the bus, while in CT, that caused to engage each other in a physical altercation. As a resul ordered the bus driver to pull the bus over, call the CT State Police for assistance and have removed from the bus due to his behavior and for the safety of the other passengers on the bus. CT State Police from did in fact respond, however upon their arrival the physical altercation had ended, there were no citations for any CT Law violations and the bus continued on its way with its passengers, minus who accompanied so he would not be by himself. A local CT cab service was called to the scene where and then paid \$30 for a cab ride back to residence in Charlestown where they remained until such time as left in order to return home. The statements clearly indicate that i was in fact the primary aggressor in the "physical altercation" between the two off-duty Police Officers. That took all necessary actions in order to prevent this matter from escalating any further than it did at the time and sought assistance from the CT State Police. He also insured that his guests that were removed from the bus had obtained a safe and secure ride back home. It is this investigators findings that did not violate any department rules and regulations. That although may have been involved in a "physical altercation" was not the primary aggressor in the incident and took all necessary steps to defuse and resolve the situation on the bus. While conducting the interviews with the three primary officers involved in this investigation, it has been clearly learned and substantiated that was been progressing with an anger management problem. where he has previously spoken to members of this department about his experiences over in Iraq as well as recently has spoken with members of this department about his own concerns with recent bouts of rage and difficulties with his working relationships with certain members of this department. It is this investigators professional opinion, that although has violated certain prohibited acts of conducted, in accordance and within the current department rules and regulations, I find that there seems to be an underlying cause that is not a matter of discipline but rather a matter of mental well-being.

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SUPPLEMENTAL NARRATIVE FOR LIEUTENANT PATRICK J MCMAHON

Ref: 09-1-IA

I put forth the following recommendation:

That while is out on Sick Leave convalescing his physical injuries sustained in an off-duty motor vehicle accident, that he receive a mental health evaluation to make a determination if treatment should be received prior to his return to work with this department. And that should a determination of treatment be recommended, that he only return to work upon completion of said treatment as he would also be required to receive a physicians clearance for his physical injuries.

Let this report further reflect that I have spoken with with respect to my findings and opinion and I offered to him two avenues for evaluation; [Private consultation] Dr. PhD of Woonsocket, RI (401) or [VA consultation] Providence Vet Center as they come highly recommended through a private employees assistance consultant.

Respectfully submitted,

LT Patrick J. McMahon, MJA Executive Officer



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Case #: 12-1-IA

Date/Time Reported: 02/16/2012 @ 2218 Report Date/Time: 06/07/2012 @ 1200

Occurred Between: 02/16/2012 @ 2218 And: 06/07/2012 @ 1200

Complaint Type: Officer Initiated

Disposition: Closed Additional Cases: 12-52-OF

Reporting Officer: Lieutenant Michael Paliotta

Signature: ___

OFFENSE(S)

A/C TITLE/CHAP SECTION

LOCATION TYPE: Field/Woods

DR.

Zone: North

CHARLESTOWN RI 02813

OFFICER INVOLVED SHOOTING

C

SUSPECTED OF USING: Not Applicable CRIMINAL ACTIVITY: None/Unknown WEAPON/FORCED USED: Other

BIAS AGAINST: Unknown Bias

AGGR ASSAULT/HOMICIDE: Assault on Law Enforcement Officer(s)

VICTIM(S) SEX RACE AGE M CHARLESTOWN RI 02813 DOB: CONTACT INFORMATION: Home Phone (Primary) CallBack Number (Primary) INJURIES: Apparent Minor Injury ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident TAKEN TO: Hospital TAKEN BY: Charlestown Ambulance

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

(Primary)

RELATION TO:

Work Phone

Otherwise Known

PERSON(S) PERSON TYPE SEX RACE AGE SSN PHONE PARTICIPANT М W 00 NOT AVAIL 401-364-1212 4901 OLD POST RD Apt. #RD CHARLESTOWN RI 02813 DOB: NOT AVAIL EMPLOYER: CHARLESTOWN POLICE DEPART PARTICIPANT 4901 OLD POST RD Apt. #B 401-364-1212 CHARLESTOWN RI 02813 DOB: EMPLOYER: CHARLESTOWN POLICE 401-364-1212 CONTACT INFORMATION: Home Phone (Primary) 401-364-1212

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Case #: 12-1-IA

OFFICER(S) SEX RACE AGE SSN PHONE M 4901 OLD POST RD 401-364-1212 CHARLESTOWN RI 02813

CONTACT INFORMATION: (Primary)

Home Phone Home Phone

Cell Phone (Primary) Work Phone (Primary) Work Phone (Primary)

Work Phone (Primary)

BODY: NOT AVAIL DOB: LICENSE NUMBER:

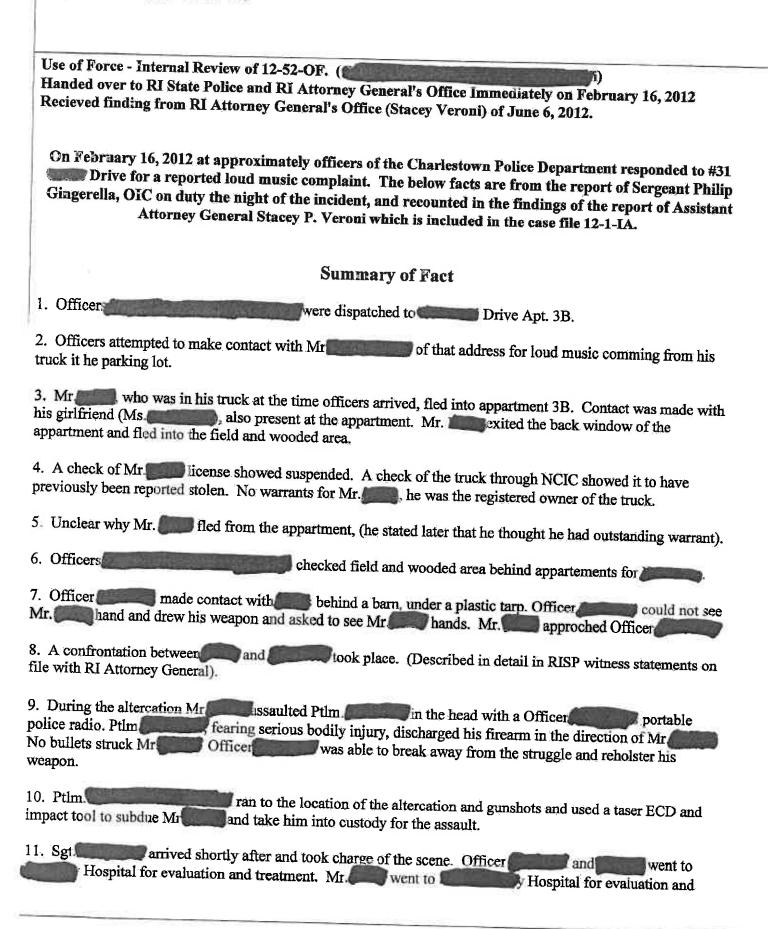
401-364-1212 401-364-1212

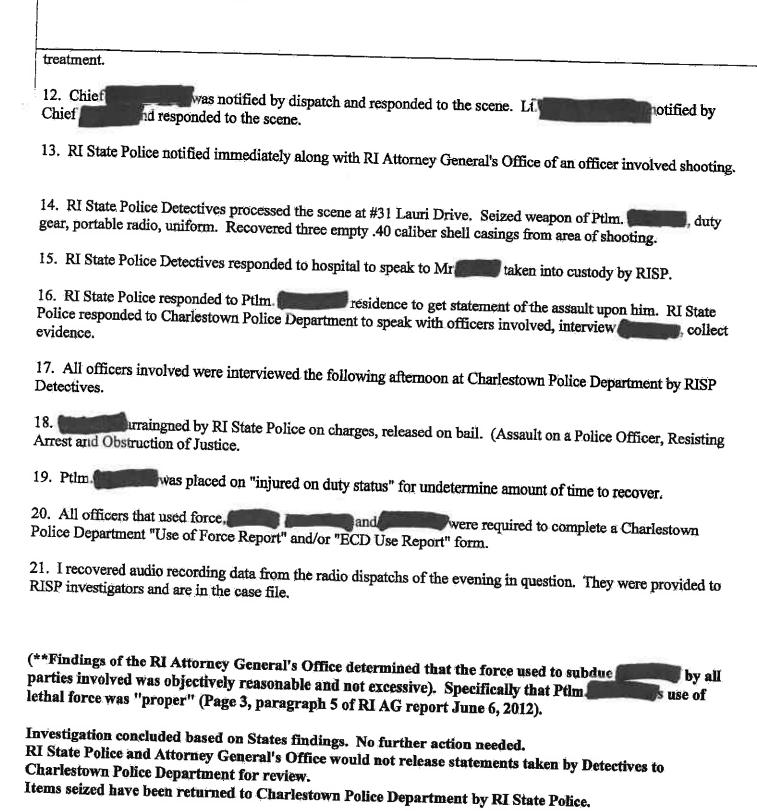
> COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC

12-52-OF NARRATIVE FOR SERGEANT PHILIP B GINGERELLA SR

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On 00/16/10 0015 01 1
On 02/16/12, at approx. 2215, Charlestown Police officers responded to a report of an intoxicated male sitting in his vehicle playing his radio loud. When Ptlm pulled into the complex, he observed a white male run from a blue pickup truck into apartment 3B. After several attempts to get someone to answer the door, a female opened the door and told Ptlm that she was in the apartment alone. A quick check of the apartment found an open rear apartment window and a screen pushed out lying on the ground.
Ptlm was joined by Ptlm and Sgt who started a search of the area behind the apartment complex for the male. He was identified by his girl-friend as The girl-friend stated he ran because he believed he had warrants. After approx. 45 minutes of searching, officer decided to end the search and returned to the apartment. At the apartment, it was determined that the blue truck was sitting in was not registered and had stolen tags out of Massachusetts on the truck. It was also determined that did not have a drivers license. Because of this information along with the fact that was on foot in the area intoxicated, a tow truck was called to tow the vehicle out of the complex.
While officers were waiting for the tow, Ptlm arrived at the scene. He was briefed on the incident and he stated he would do one more search of the area behind the complex before all units cleared. Approx. 3 minutes later, Ptlm was attacked by who was hiding under a trap in the rear of the complex. In the process of being attacked and trying to defend himself, Ptlm drew his service weapon and fired several times at was not hit by any rounds, but did continue to fight Ptlm until Ptlm and arrived. Ptlm used his "Taser" unit to subdue and take him into custody.
was treated and transported to South County Hospital along with Ptlm Ptlm was treated and transported to Hospital with Ptlm South Kingstown and Richmond Police assisted with controlling and securing the scene. The incident was then turned over to Rhode Island State Police. Rhode Island State Police handled interviews, scene processing and charging
Sgt. Philip B. Gingerella Sr.







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Case #: 13-1-IA

Date/Time Reported: 05/04/2013 @ 0400 Report Date/Time: 05/06/2013 @ 1336 Occurred Between: 05/03/2013 @ 1900

And: 05/06/2013 @ 1336

Complaint Type: Officer Initiated

Disposition: Open

Reporting Officer: Chief Jeffrey Allen

Signature:

Assisting Officer: Lieutenant Michael Paliotta

Signature: _____

PERSON(S) PERSON TYPE SEX RACE AGE REPORTING PARTY W

02920

RACE AGE

NOT AVAIL 401-364-1212

4901 OLD POST RD CHARLESTOWN RI 02813 CONTACT INFORMATION:

Home Phone

(Primary) Work Phone

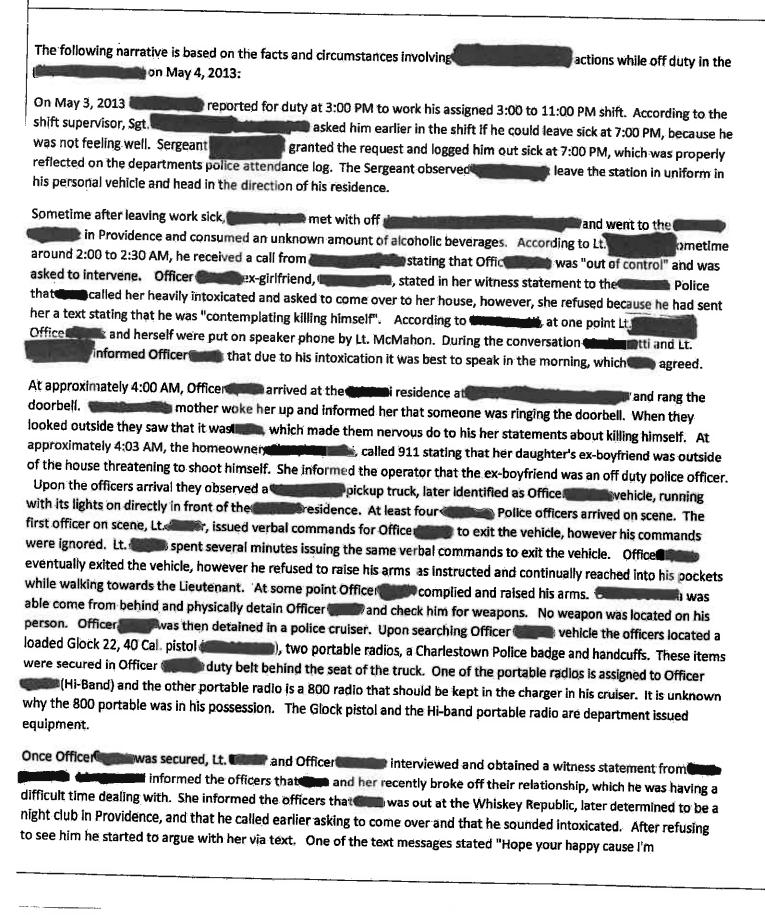
401-364-1212 (Primary) 401-364-1212

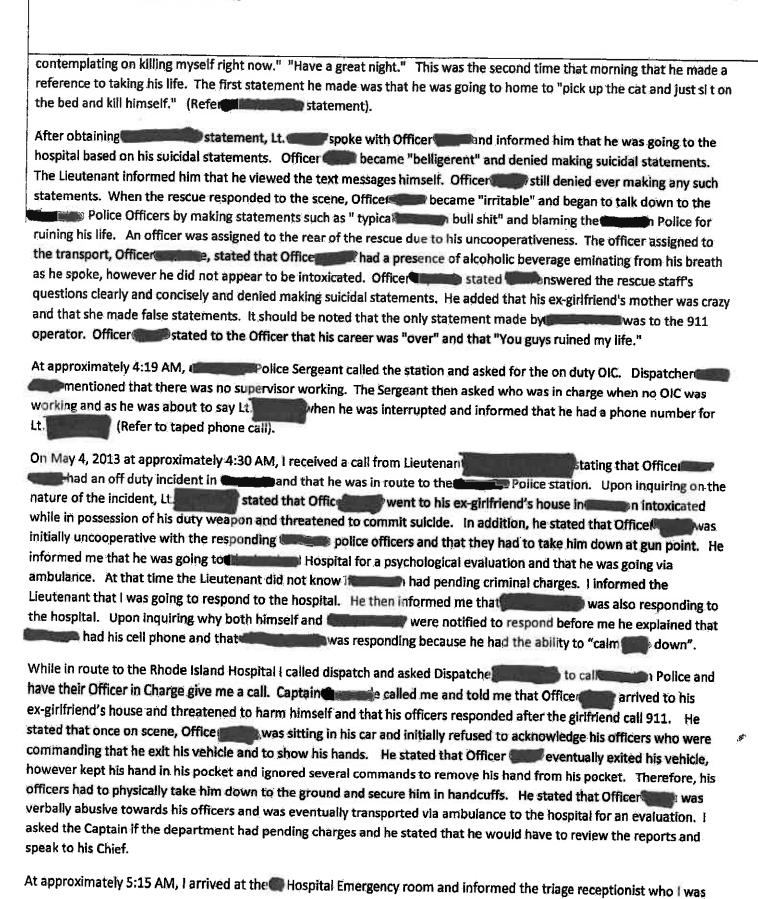
BODY: NOT AVAIL. LICENSE NUMBER: RI

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

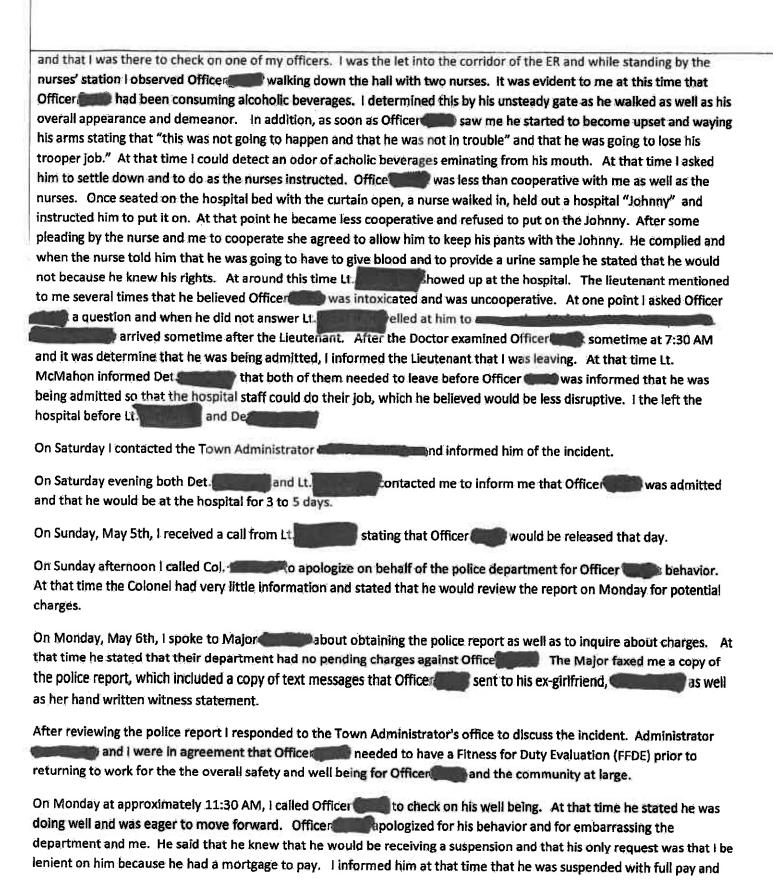
EMPLOYER/SCHOOL: CHARLESTOWN POLICE DEPT • 401-364-1212

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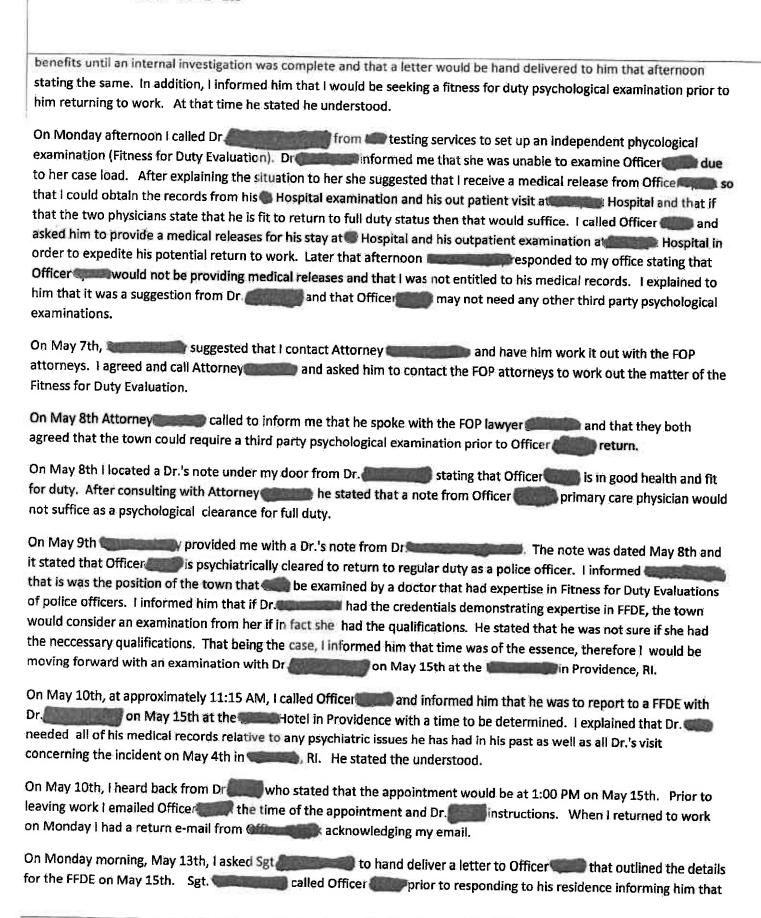




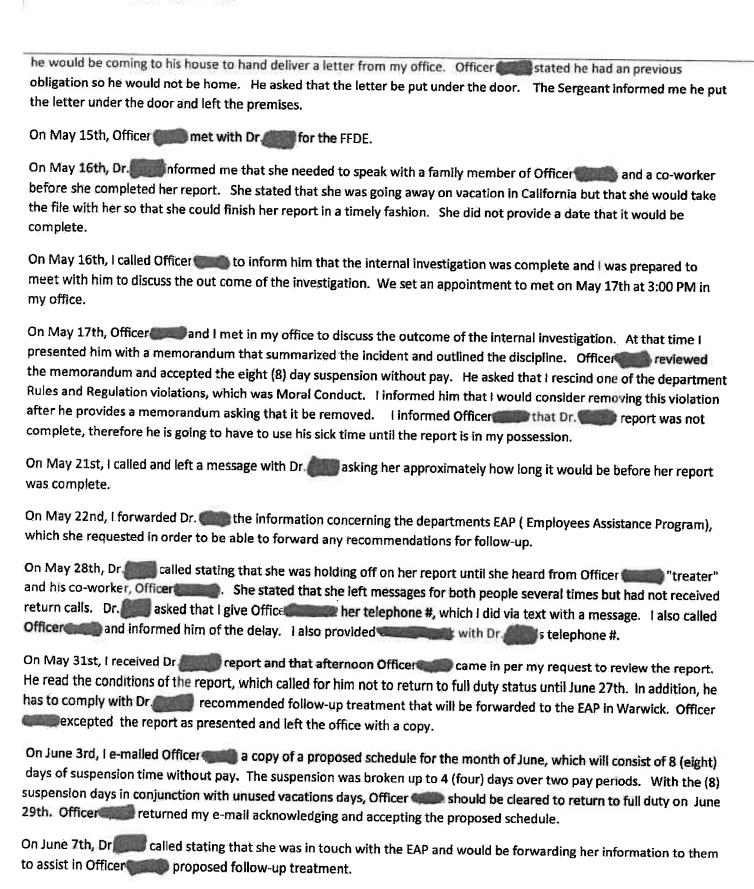
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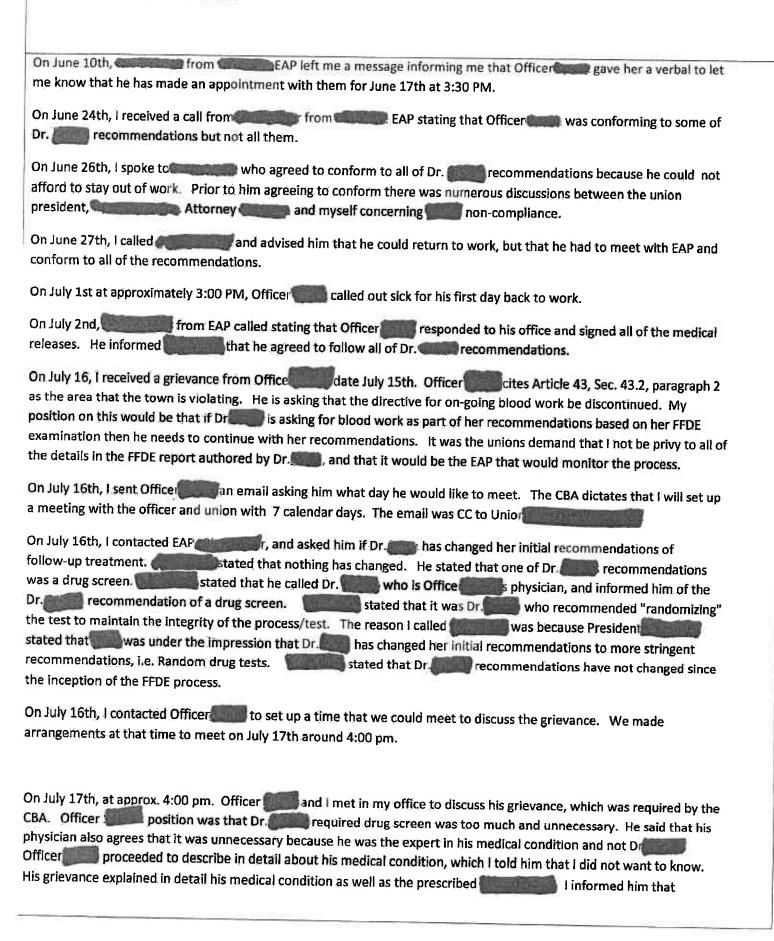


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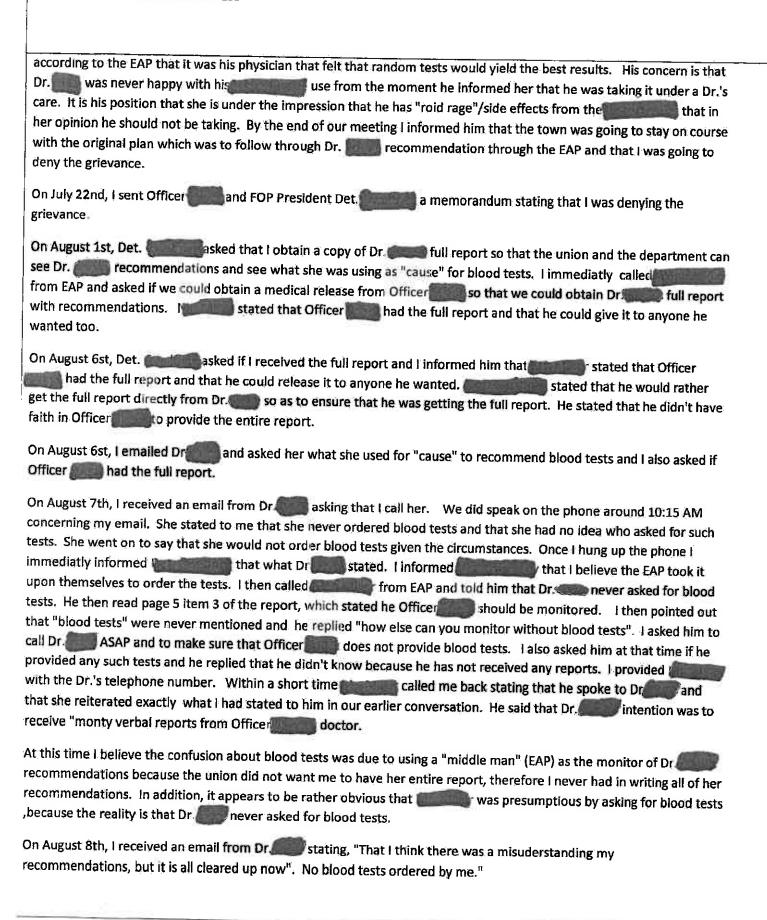


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Page: 1 02/24/2016

Case #: 14-1-IA

Date/Time Reported: 09/10/2014 @ 0830 Report Date/Time: 09/10/2014 @ 1640 Occurred Between: 07/16/2014 @ 0000

And: 09/10/2014 @ 1640

Complaint Type: Officer Initiated Disposition: Closed

Reporting Officer: Lieutenant Michael Paliotta

Signature: _____

#	PERSON(S)	PERSON TYPE	SEX	RACE	ACE	SSN	PHONE
2	4901 OLD POST RD CHARLESTOWN RI 02813 DOB: 02/16/1972 EMPLOYER: CHARLESTOWN POLICE DEP CONTACT INFORMATION: Home Phone (Primary)	WITNESS T · 401-364-1212 401-364-1212	М	W			401-364-1212
3	4901 OLD POST RD CHARLESTOWN RI 02813 DOB: NOT AVAIL EMPLOYER: CHARLESTOWN POLICE CONTACT INFORMATION; Work Phone (Primary)	WITNESS 401-364-1212 401-364-1212	М	В	00	NOT AVAIL	
4	4901 OLD FOST RD CHARLESTOWN RI 02813 DOB: 05/03/1985 EMPLOYER: CHARLESTOWN POLICE CONTACT INFORMATION: Work Phone (Primary) WORK Phone	WITNESS	м	W	29	NOT AVAIL	401-213-6900
#	OFFICER(S)		SEX	RACE	AGE	SSN	PHONE
1	4901 OLD POST RD CHARLESTOWN RI 02813 CONTACT INFORMATION:		M	W	34		
	Home Phone (Primary) Home Phone Cell Phone (Primary) Work Phone (Primary) Work Phone (Primary) Work Phone (Primary)	401-364-1212					
	BODY: NOT AVAIL.	COMPLEX PLACE OF BI ETHNIC		OT AVA	IL.		

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Case #: 14-1-IA

SEX RACE AGE SSN PHONE

EMPLOYER/SCHOOL: CHARLESTOWN POLICE 401-364-1212

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Case #: 14-1-IA

********* ***CONFIDENTIAL PERSON REPORT***

PERSON TYPE SEX BACE AGE

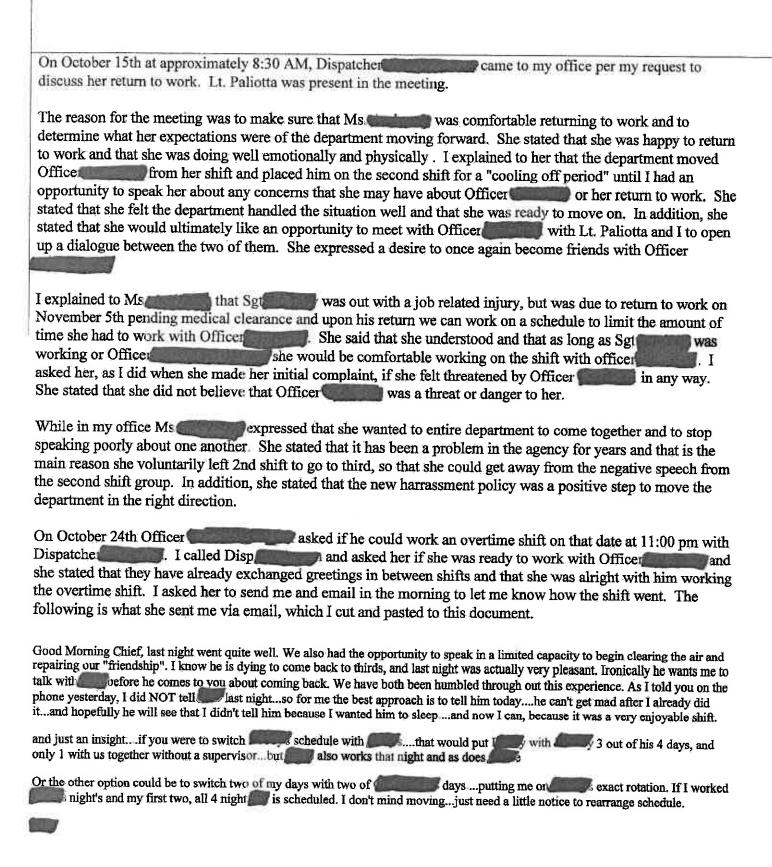
COMPLAINANT

CHARLESTOWN RI 02813

CONTACT INFORMATION: Home Phone Home Phone

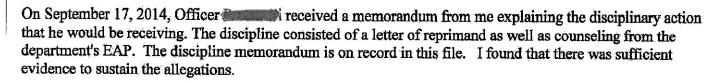
(Primary)

401-364-1212



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Ref: 14-1-IA



On or about December 3, 2014, I received a memorandum from Dispatche requesting that her work place harassment complaint be withdrawn and that her statement be destroyed.

Since Dispatcher made the complaint as well as asked that it be withdrawn, Dispatcher has informed the agency that she suffers from stated that Dispatcher confided in him at that time of the initial complaint in 2014, Officer stated that Dispatcher confided in him at that time that she did suffer from mental illness and it was his opinion that the mental illness was a contributing factor in her making the complaint. Officer has always maintained that both he and Dispatcher would speak inappropriately to one another while at work. Considering all of the factors, I am withdrawing any reference to discipline that may exist in Officer personnel file. Since this initial complaint by Ms. have worked together on numerous occassions without any adverse situations taking place. Although I am removing Ptlm discipline from the file that doesn't negate the fact that a complaint was made and appropriately handled. Ptlm. told me that he now realizes that inappropriate language in the workplace is unacceptable even if all parties appear to be participating or passively listening.

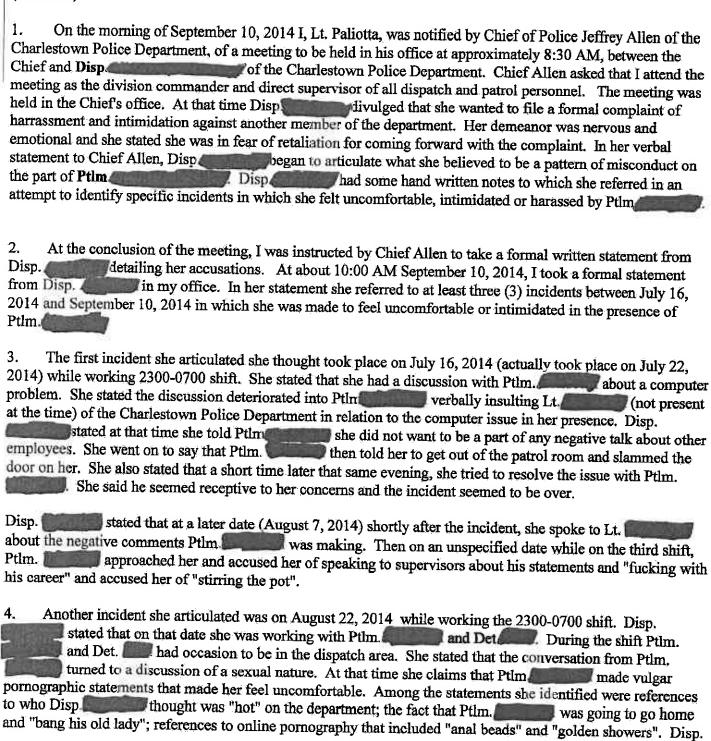
On January 11, 2016, Dispatche was relieved from work as a result of statements she made to me as well as others concerning her mental health status. Ms has since provided a Dr.'s note putting her out of work until March 1, 2016. (Refer to 16-1-IA).

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Ref: 14-1-IA

Internal Investigation (Officer Misconduct)

(09-10-14)

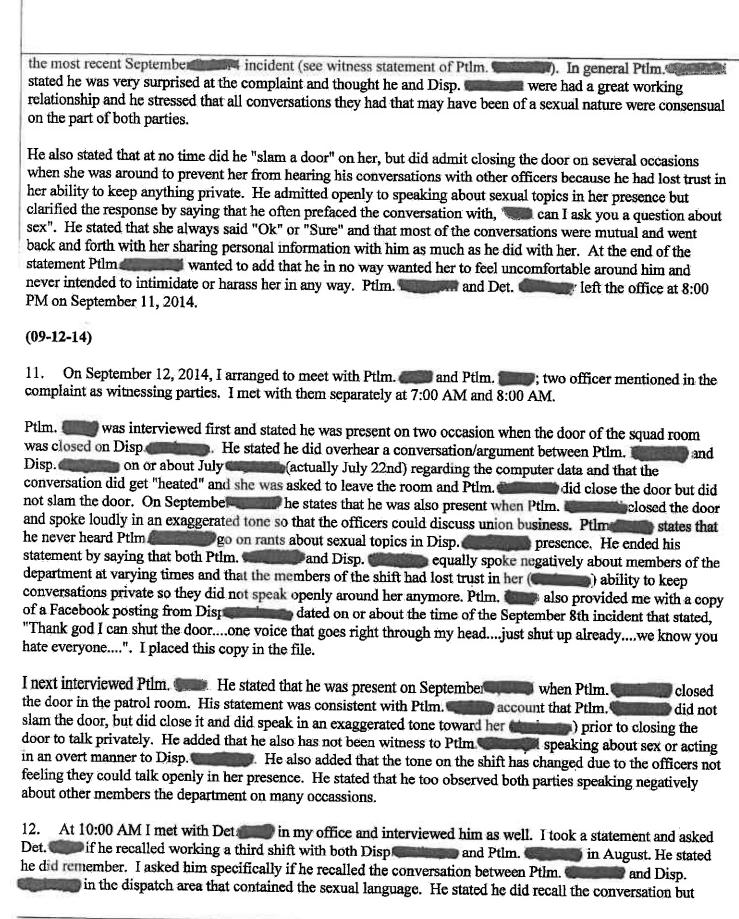


Charlestown Police Department NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA

stated that she felt uncomfortable and wanted him to stop but she was so shocked by the "over the top" sexual comments that she just tried to ignore him. She states that Det was present but did not participate in the comments and "appeared uncomfortable" with the sexual statements of Ptlm She also noted that he made comments about the her husband while she was on the phone.
According to followup up statement of Disp. she worked with Det on two occassions and these incidents happened over two different dates August and August
5. The third incident of misconduct was alleged to have happened on September 200 while Disp. and Ptlm along with Ptlm at and Ptlm were working the third shift. She states that as she was arriving at work and walking down the hall, Ptlm who was standing near the patrol room door, began to speak overly loud and in an "exaggerated" tone. She states he appeared to be mocking her by speaking loudly and positively about other department members. She states that he then slammed the patrol room door on her as she walked by, apparently shutting her out. She states that all three officers were in the patrol room for about two hours afterward with the door closed. She stated it made her feel uncomfortable and intimidated.
6. Displaced also referred to statements and conduct over unspecified diverse dates she believes was between July (actually July) and September , that showed a pattern of being openly derogatory toward other members of the department in her presence. She stated that she believes that on several occassions she has told Ptlm. "enough is enough" and not to speak in a derogatory manner about other employees and supervisors in her presence. She states the comments she was openly exposed to ranged from personal sexual conduct of other department members, to poor job performance of other officers and supervisors and officers personal problems.
(09-10-14)
7. On September I was presented with a letter from the Chief of Police. The letter was a Notice of Investigation and rights under the RI Police Officer's Bill of Rights. I was ordered to hand deliver the letter to Ptlm placing him on administrative leave during the investigation. I was unable to make contact with Ptlm in person or by phone or email until the afternoon of September 11, 2014 at which time he was given the letter, read and stated he understood its contents.
(09-11-14)
8. On September 11, 2014 at approximately 5:00 PM, Ptlm. came the the Charlestown Police Department to give a written statement in regard to the allegations specified in the complaint. Ptlm. was accompanied by his FOP 40 representative Det. While in my office I advised Ptlm. of his rights in the investigation; he signed a copy of same and I placed it into the record.
I then explained the complaint of harassment in the workplace to Ptlm. and proceeded to interview. At the start of the statement Ptlm. indicated he was not going to give a statement unless he was ordered to do so. I then ordered Ptlm. to give a statement relative to the events mentioned in the complaint.
10. I then took a detailed statement in which Ptlm. had an opportunity to answer each accusation in the complaint. We began chronologically from July (actual incident July) complaint and ended with

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Charlestown Police Department NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA



Charlestown Police Department NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA

	does not remember any particular statements or content. He did recall that Ptlm. was speaking over Disp. when she was on the phone with her husband and that Ptlm. was making overt comments about being a "big guy".
	I asked if Detremembered references to "anal beads" or "golden showers" and he did not. I asked if he observed Disp. ————————————————————————————————————
	13. At this time all witnesses that were mentioned in the complaint have been interviewed and their statements are in the case folder.
((09-15-14)
	4. On this date I forwarded a response to an email I had sent Disp. asking for her to clarify some lates of incidents at work. I asked the Chief to print the email and put it into the case file, he did so.
(09-16-14)
n	5. On this date I arrived at my office to find a large white envelope on my desk that contained hand written lotes and narrative from Disp. I noted that this document contained all the same accusation and naterial as specified in her formal statement and copy of her notes that I had already entered into the file. Dispatched to reviewed the IMC log to confirm dates of alleged incidents:
fi	Dispatcher clarified the timeline in a hand written follow up statement that was entered in to the ile. For clarification, those dates are:
a.	1st; first incident as referred to in interviews as July 16th at which time Ptlm got in an argument with Disp. about the computer and sent her out of the room and shut the door, actually took place on July 22, 2014 on third shift.
b.	2nd; an informal notice to Lt. about negative speach by Ptlm. as referred to in previous interviews took place on August 7, 2014.
c.	3rd; a notice to Lt. about Ptlm. being disgruntled and negative comments as explained in previous interview occurred on August 16, 2014.
4.	4th; August 21, 2014, Ptlm. allegedly approached Disp. in dispatch on third shift to address his concerns about her going to Lt. about what his negative comments.
d.	5th; August 22, 2014, incident in which Ptlm. Disp. and Det. worked third shift and Ptlm. allegedly talked openly and overtly about pornography.

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Charlestown Police Department NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA

Ref: 14-1-IA

e.	6th; August incident in which Ptlm and Det were again working together and Ptlm allegedly spoke about size while she was on the phone with him.
f.	7th; Septembe , incident during which Ptlm Ptlm and Ptlm were in squad room and door was shut on Disp.
g.	8th; Notification of administration of complaint.
having time t	ewed the document, allowed the Chief to read the document and entered it into the case file. I noted that the aragraph of the hand written narrative indicated that Disp was in fear for her safety and was g panic attacks based on her divulging the complaint and her fear of reprisal from Ptlm. At that the Chief of Police made phone call to Disp and left a message for her to call him to discuss her of retaliation.
was ar	s date I was also presented with an email that the Chief printed up. He recalled sending the email to Disp. in on August 25, 2014 asking her how she liked her new change to third shift. Her response at that time ticulated as, "I love it, it is working out really well! Especially because my youngest has a broken arm so doctor's appointments, Thanks for asking". I entered it into the file.
(09-16	

Reviewed notes and statements and put together a recommendation to the Chief of Police. 16.

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Case #: 15-1-IA

Date/Time Reported: 05/20/2015 @ 0851 Report Date/Time: 05/20/2015 @ 0851 Occurred Between: 05/13/2015 @ 1000 And: 05/13/2015 @ 1005

Complaint Type: Officer Initiated

Disposition: Open

Reporting Officer: Lieutenant Patrick McMahon

Signature: _

OFFENSE(S)

A/C TITLE/CHAP SECTION

LOCATION TYPE: Highway/Road/Alley/Street

Zone: East

CHARLESTOWN RI 02813

Drug / Narcotic Violations

1000

REPORTING PARTY

SUSPECTED OF USING:

CRIMINAL ACTIVITY: |

C

PERSON TYPE SEX RACE AGE

4901 OLD POST RD Apt. #B CHARLESTOWN RI 02813

DOB:

PERSON(S)

EMPLOYER: CHARLESTOWN POLICE

CONTACT INFORMATION:

Home Phone Work Phone

(Primary) (Primary)

OCCURRED: 05/13/2015

4014

OFFICER(S)

00

NOT AVAIL

4901 OLD POST RD CHARLESTOWN RI 02813

BODY: NOT AVAIL.

DOB: NOT AVAIL

LICENSE NUMBER: NOT AVAIL.

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

M

ETHNICITY: NOT HISPANIC

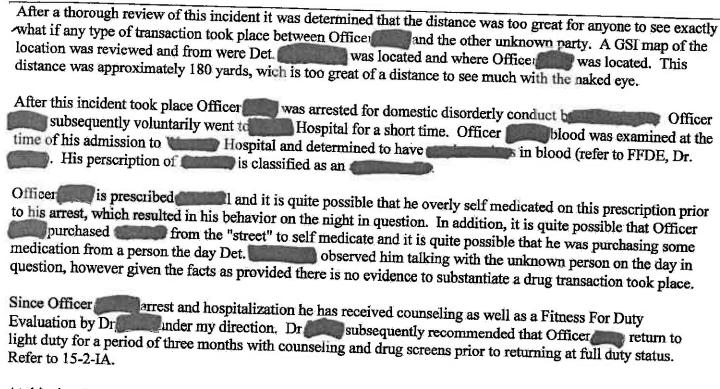
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NARRATIVE FOR DETECTIVE

(In Wednesday 5/12/15 - 19 00) 1. D
On Wednesday 5/13/15 at approx. 10:00hrs I, Detective was driving through the neighborhood of
Dr. in Charlestown in my unmarked detective vehicle. While driving through the neighborhood I
observed a marked Charlestown Police vehicle, Vehicle number operated by Office
Kendall Court and proceed to the end of the cul-de-sac. The Cul-de-sac at the end of Court has no houses
and it directly abuts through the woods. I observed the Police vehicle pull to the end of the road
and stop. The police car was parked for loss then 1 minute 1.5 and 1.1 and 1.5
and stop. The police car was parked for less than 1 minute before I observed a male in the wood line.
The male exited the wooded area between the analysis of the male to be who resides at
, who resides at
Toffed the window down as was walking in as if he was expecting him When
arrived at the Ponce car he reached through the passenger side window and a hand to hand evolunge window
conducted involving small items. After the transaction was complete turned ordered and and and and and are the transaction was complete.
toward the woods. disappeared back in to the wood line toward while Officer rolled
his window up and proceeded to drive off. The transaction took between 10-20 seconds.
I returned to the reflected to drive on; The transaction took between 10-20 seconds.
I returned to the police station and performed a background check on all parties involved. I found
and also resides at The Detective division of
the Charlestown Police Department has received recent information as well as information in the past recently a
in use and the dealing of prescription medication. Resed on the harkground of the
parties I believed this hand to hand transaction to be extremely suspicious.
auditory suspictous.

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At this time I am satisfied that this IA (15-1) can be closed and I determined that it is Not Sustained.



Page: 1 02/11/2016

Case #: 15-2-IA

Date/Time Reported: 05/25/2015 @ 0800

Report Date/Time: 05/25/2015 @ 1041 Occurred Between: 05/25/2015 @ 0000

And: 05/25/2015 @ 1200

Complaint Type: Officer Initiated

Disposition: Open

Reporting Officer: Lieutenant Michael Paliotta

Signature: ____

OFFENSE(S) A/C TITLE/CHAP SECTION

LOCATION TYPE: Residence/Home/Apt./Condo

Zone: West

DOMESTIC-DISORDERLY CONDUCT

OCCURRED: 05/24/2015 2353

C 11-45

1/12-29-5

PERSON(S) PERSON TYPE SEX RACE AGE SSN PHONE

· TEEL

COMPLAINANT

140

NOT AVAIL

NOT AVAIL

OFFICER(S) SEX RACE AGE SSN PHONE

1

(Primary)

CONTACT INFORMATION:

Home Phone

BODY: NOT AVAIL

DOB:

....

LICENSE NUMBER: NOT AVAIL.

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

ETHNICITY: NOT HISPANIC

On Monday at approx. 8:30 am to inform me that Patrolman was arrested by the Westerly Police Department sometime over the night for domestic disorderly conduct at his residence. Ptlm lives in Westerly

The lieutenant informed me that it was his understanding that Ptlm cooperated with the police and was currently at the Hospital for a phycological evaluation.

Once off of the phone with Lt. Paliotta I called and and left him a message asking for a return call.

I called the said approx. 11:15 am to check on her well being the proceeded to tell me what had happened. She said that the came home after working a double shift to find that she was changing the rooms around so he became upset that he didn't have a place to sleep and that the house was in disarray. She said that became angry and used vulgar language towards her and at one point he attempted to push a door door closed as she was walking in the room which struck her arm/s.

At approximately 2:00 pm I responded to the lospital and met with Officer. Officer was sitting up on the gurney and was in good spirits. I asked what had happened and he explained that after working a double shift he came home and found that the house was a mess and that his wife was moving their bedroom into another room so he had no where to sleep. He admitted to calling her some vulgarities and unintentionally shutting a door into her body. He said that his personal life has been stressful with all of the responsibilities dealing with the children and a wife who suffers from depression. He voluntarily agreed to go to Hospital for an evaluation.

On May 26th, I spoke to sister and informed me that personal life is overwhelming and that has more than likely lead to the incident at the house. Said that she has never known her brother to be violent. If anything, he becomes calmer as things become stressiu.

On May 27th called me crying saying that she missed her husband and that she wanted to know if he was doing. I informed her that I met with him on Monday and that he was doing fine and was in good spirits.

On May 28th, I met with the parking lot of the provide her with the contact information for the departments employee assistance program (EAP). I encouraged her to call the number provided so that she could speak to someone. Prior to meeting with her we spoke on the phone and she was crying at that time and sounded stressed. I asked her if she had any support system and she said that she did not have any friends or family that she could rely on. After our meeting she was going to the Women's Resource Center at the court house.

On May 28th, called me from to let me know that he was doing well and that he was going to be discharged the following day. He also said that his attending physician wanted to speak with me so he asked me to call a later of late

On May 29th, I called Dr. to set up an appointment to have her perform a fitness for duty evaluation (FFDE) on before I would allow his return to work.

On June 5, 2015 I responded to common arraignment held at 4th District Court. At that time the judge removed the NCO and gave a pre-trail date of June 26th.

On June 5th, I spoke to Dr. concerning a possible FFDE. Dr. informed me that she would speak with Dr. of Hospital and review medical file before determining if there needed to be a FFDE.

On June 5th, I called Dr. and informed him that Dr. would be calling him to discuss diagnosis. Dr. informed me that was released from on Monday June 1st and that he was currently in an outpatient treatment program called "Partial Hospital". The doctor said that he was not prepared to release to full duty status at this time.

On June 5th, called me after court and informed me that he would be returning home now that the NCO was lifted. He also said that he would email me his medical report from Hospital.

On June 9th, Dr. called and informed me that she would not be able to speak with Dr. without a medical release. In addition, she said that if was in "Partial Hospital" he is still technically under Dr. care and therefore it would be pre-mature for her to get involved at this time.

On June 9th, I received a call from DT.

who is a psychiatrist at working in the integrated partial program. Dr.

is now attending physician. Dr.

said that will be released from the Partial Program on Wednesday June 10, 2015. She stated that she is not clearing to return to full duty as a police officer at this time. I mentioned to her that I would like to release his medical records to Dr.

upon completion of his out patient program a so that she can meet with him in order to determine it and when he will be fit to return to duty.

On June 10th, at approx. 6:45 pm, Dr. left me a voice mail stating that was successfully discharged from Hospital out patient yesterday afternoon. When asked to sign a release for Dr. to review his file he respectfully declined until he spoke to me.

On June 11th, I called and advised him that I needed him to sign a medical release so that Dr could review his records and then possibly schedule an FFDE if needed. Said that he would take care of today.

On June 15th, I called Dr. to see if she received a medical release from authorizing release his medical file. As of this date she had not received anything mail.

On June 15th from employees assistance program (EAP) called me stating that met with him today.

On June 15th, I called to make sure that he signed a medical release at the for Dr. He said that he took care of it last week. In addition, on this date I left a message at the for Dr. In order confirm that the release was signed and to see if the doctor authored her discharge summary.

On June 16th, I received a voice mail from Dr stating that the medical release was sign by Officer for Dr. She also stated that she did complete her discharge summary. She stated that all medical records would be handled through medical records department and that they could be reached at In addition, Dr. stated that she left a voice mail on the number that I provided for Dr.

On June 17th, I met with Officer in Westerly to hand deliver a letter that I authored when he was initially arrested. As a result of his hospital stay and appointments and my conflicts we had difficulties setting a time to hand deliver the letter. The letter basically stated that he was suspended with pay until his criminal matter was disposed of.

On June 23rd, I received Officer medical records from Hospital. I called Dr. and informed her that I received them in the mail and she asked that I send them to her. She stated that after reading the report she will reach out to me to set up a time to meet with Officer

On June 29th, I called Dr. to see if she received the medical records. She informed me that she only received have of the records. According to Dr. the records that I sent her were only the out patient component and not the in patient component of the entire file. She stated that I have to specifically request records from the "Kent Unit". I called Medical Records and she stated the same. I was frustrated and asked why I was not informed of this earlier. The women simply stated she was sorry. I called Office and informed him to fill out the medical release for the Kent Unit without delay. He informed me that he was going to respond in person the following morning.

On July 6th, I sent Dr. an email asking if she received the remainder to Officer medical file and she replied that her assistant was out today so was unable to confirm if the records came in.

On July 8th, Dr. sent me an email stating that she has not received any additional medical records. I left Officer than email stating the same and I asked him to check with the Kent Unit to find out if they were sent.

On July 9th, Dr. Leaft me a message that she has not received additional records. I called Hospital to find out why they were not sent. They stated they had to conduct some research to find out why they were not sent. I have a copy of the release that Officer filled out on June 30th, which had Dr. hame and address on it. I received a call back from and and they were unable to locate the release so they asked that I fax it to them. I called to confirm they received the fax, which they did and they stated that it would go out in mail the following day.

On July 9th, Dr. and I set up an appointment for Officer Interview with her on July 22nd at 9:00 am in Providence. I called and informed Officer

On July 10th, Office appeared in 4th District Court concerning his arrest by the Disorderly Conduct. The case was dismissed (48A). It was dismissed based on Officer completion of all his requirements with pre-trial services.

On July 13th, I reserved a conference room at the providence for Dr. interview with

On July 13th, I sent both Dr. and and emails confirming the interview date, time and location. Dr. returned my email stating that she is still waiting for the rest of the medical records prior to the interview.

On July 14th, I received a text message from at 7:57 am asking that I call her. I returned her call at at 8:31 am, but after she said "hello" the call was dropped. I then received a call from at 8:37 am. I asked him what was going on and he said everything was fine and that heeds help. He then put a friend on the line who has been staying with them. The friend identified herself as O# I asked what was going on at the house and if there was a problem. stated that everything was time. got back on the phone and said that was suppose to be at a counseling session with the daughter, but missed the appointment. He went on to say that his wife needs "help" (Therapy). We then confirmed his appointment with Dr. on July 22nd at 9:00 am at Providence. While on the phone with called me back. I missed the call so I returned her call once off of the phone with tated that last night got mad that the clothes on the bed were not folded so he knocked the clothes onto the floor and then asked for a blanket. He then took the blanket and left the house for the night. then put back on the phone. I asked again what was going on at the house. She replied that there was no domestic violence but that she thought has been "acting mean" towards ately. It was her opinion that he was being childish when he left the house with his blanket. She believes he went and slept in his truck for the night. I told her to call the If she believed in any way there was something happening that needed police attention.

On July 14th, I called Medical Records and spoke to a lasked if she mailed out the records to Dr. and she confirmed that she did.

On July 17th, I received an email from Drag stating that she received the remainder of the medical records.

On July 20th, I sent Draw an email confirming that her interview with Officer was all set for July 22nd. I called Officer twice to remind him of the interview date, but his mailbox was full both times.

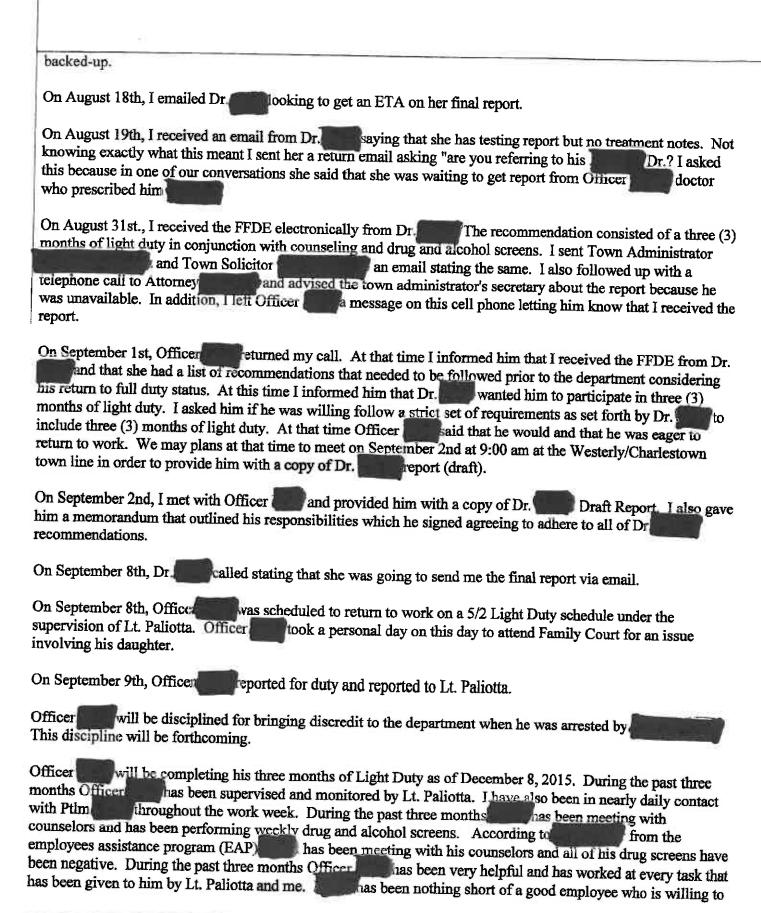
On July 20th, I received an email from Dr requesting a copy of Officer arrest report. I forwarded the

On July 20th, I informed Officer that he will have to use his own sick time and vacation time after the FFDE interview with Dr

On July 22nd, Office called to let me know that he met with Dr. for the FFDE. Dr. also called to inform me that the FFDE took place. She stated that she had additional information to obtain from other sources before she could complete her report.

On July 28th, Dr. called to inform me that she still had two more pieces of information that she needed to obtain prior to completed her assessment and report.

On August 5th, Dr. sent an email stating she still was waiting for medical records. I contacted and said he needed to get them ASAP. He called back stating that he signed all releases but that the Dr.'s office had a records person out of work for two weeks and that one of the Dr.'s in the office passed away so they were



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perform any task required of him as a patrol officer for the Charlestown Police Department. In addition, he has been clear minded and level headed. That said, I believe that Officer has conformed to Dr. recommendations and therefore I am allowing him to return to full duty status. He will continue to seek counseling, which will be monitored by

On December 1, 2015, I received a bill from Medicine, LLC for eleven (11) random urine screens that Officer was subject to over the past three months. The bill was for \$330, which was paid by the town per Treasurer Patrica Anderson under line item 920-9210.

On December 8, 2015 Officer reported to duty for his 7:00 am to 3:00 pm shift. He reported to duty in good spirits and equipped and ready to go. I informed Officer on this date that he needed to see me prior to the end of his shift in order to receive his discipline for the arrest by the

On Decebmer 8th, I sent Town Administrator and Treasurer and Treasurer and an email notifying them of Officer return to full duty status.

Officer was notified that there was sufficient evidence to prove the allegations, therefore the final outcome of this IA was sustained. Officer ecieved a one day suspension without pay on January 29, 2016.

Page: 1 NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA

Ref: 15-2-IA

05/25/15:

On Monday May 25, 2015 at approximately 0800 hrs. I Lt. Paliotta, arrived at work and checked in with dispatch. Upon speaking to the on duty dispatcher (Disp. I) I was informed that called about 0630 hrs on May 25th to ask to speak to a supervisor. CPD dispatcher stated non were available, at that time the Informed Disp. that Ptlm. would not be able to attend work today and was calling out sick leave.

At 0815 hrs I, Lt. Paliotta, called and was directed to speak to Captain Upon speaking to Capt. I was informed that Ptim. was being held at Hospital in police custody awaiting arraingment on Domestic Disorderly charges and a psychological evaluation. Captain informed me that Ptlm. was in need of an evaluation and Services was at with him. He informed me that Ptlm. was cooperative throughout the proceedings and agreed to seek mental health assistance and was likely going to be transported to lospital after arraingment, which he anticipated would happen about 1200 hrs.

I asked to forward me the police report (15 AR) which he did by email. The report indicates that Ptlm. returned home to Westerly, KI last evening at about 2330 hrs after working a double shift at Charlestown Police. The report indicates at that time he apparently entered into an argument with his wife and then went into a back office in the house and damaged some personal property. Thereafter. contacted who arrived and found experiencing what appeared to be a psychological emergency and stree related breakdown. They took him into custody and transported him to Hospital for evaluation. supervisors decided to charge with Domestic Disorderly Conduct.

I then contacted Chief Allen and advised him of the arrest and circumstances surrounding the psychological evaluation of

At 1200 hrs, I Lt. Paliotta, started 15-02-IA and entered the data and copy of the police arrest report. I then cut the nocker and took possession of two department issued Glock pistols (G22 and G27) and lock off Ptlm secured them in the armory until the conclusion of the investigation. I relocked his locker with a gun lock, held the key in my office and sent an email explaining the department would purchase a new lock for his locker.

will be admitted to Hospital from Mospital by the end of the day.

At 1500 hrs I typed an Administrative Leave Notification and placed it into the IA folder to be signed by the Chief The letter places him on paid administrative leave until the criminal case is resolved and presented to and he is medically cleared to return to work.

05/26/14:

On Tuesday May 26, 2015 at about 1400 hrs, I requested and received addittion documents from Capt pertaining to the arrest of I placed a signed copy of the No Contact Order restricting from contact with and a copy of the DVSA-1 form into the IA folder.