

**Charlestown Police Department  
Investigative Report**

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02/11/2016

Case #: 09-1-IA

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)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Government/Public Building      Zone: West  
 4901 OLD POST RD  
 CHARLESTOWN RI 02813

1	PROHIBITED CONDUCT			
	OCCURRED: 10/25/2009    0200	C	SECT II	B

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813 DOB: [REDACTED] EMPLOYER: CHARLESTOWN POLICE DEPT CONTACT INFORMATION: Home Phone (Primary) 401-364-1212	WITNESS	M	W	[REDACTED]	NOT AVAIL	401-364-1212
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813 CONTACT INFORMATION: Home Phone (Primary) 401-364-1212 Work Phone (Primary) 401-364-1212	M	W	[REDACTED]	NOT AVAIL	401-364-1212
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BODY: NOT AVAIL.      COMPLEXION: NOT AVAIL.  
 DOB: [REDACTED]      PLACE OF BIRTH: NOT AVAIL.  
 LICENSE NUMBER: NOT AVAIL.      ETHNICITY: NOT HISPANIC

**[FAMILY/EMPLOYMENT INFORMATION]**

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]

EMPLOYER/SCHOOL: CHARLESTOWN POLICE DEPARTMENT 401-364-1212  
 4901 OLD POST RD  
 CHARLESTOWN RI 02813

OCCUPATION: POLICE OFFICER

2	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813	M	W	[REDACTED]	NOT AVAIL	401-364-1212
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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CONTACT INFORMATION:

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

BODY: NOT AVAIL.

DOB: [REDACTED]

LICENSE NUMBER: NOT AVAIL.

COMPLEXION: 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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NARRATIVE FOR LIEUTENANT PATRICK J MCMAHON

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 a physical 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 [REDACTED] 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 questioning him with respect to the above order. (See attached statement.)

On 11/03/2009 at approximately 1700 hrs., I, Lt. McMahon, advised [REDACTED] 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 questioning him with respect to the above order. (See attached statement.)

At this time [REDACTED] 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

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On 11/04/2009 at 1400 hrs., I was advised that [REDACTED] had been discharged from [REDACTED] Hospital and had arrived home. I responded to his residence and assessed his immediate condition [REDACTED] is still suffering from his injuries and has been prescribed incredibly strong pain management medications. Its this investigators opinion that conducting an interview of [REDACTED] would not be a prudent investigative measure at this time.

On 11/04/2009 at 1635 hrs., I received a faxed copy of the CAD-call screen from the CT State Police, [REDACTED] out of Montville, CT reporting they had received a call for a disturbance on I-95(S) in North Stonington. That Trp. [REDACTED] 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 [REDACTED] 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.

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SUPPLEMENTAL NARRATIVE FOR LIEUTENANT PATRICK J MCMAHON

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Facts as they relate to this investigation:

That on Saturday, October 24th, while off-duty, [REDACTED] 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; [REDACTED] and [REDACTED]

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, [REDACTED] residence in the Springbrook section of Westerly.

While enroute back from Providence, an event unfolded on the bus, while in CT, that caused [REDACTED] and [REDACTED] to engage each other in a physical altercation. As a result [REDACTED] ordered the bus driver to pull the bus over, call the CT State Police for assistance and have [REDACTED] removed from the bus due to his behavior and for the safety of the other passengers on the bus. CT State Police from [REDACTED] 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 [REDACTED] and [REDACTED] who accompanied [REDACTED] so he would not be by himself.

A local CT cab service was called to the scene where [REDACTED] and [REDACTED] then paid \$30 for a cab ride back to [REDACTED] residence in Charlestown where they remained until such time as [REDACTED] left in order to return home.

The statements clearly indicate that [REDACTED] was in fact the primary aggressor in the "physical altercation" between the two off-duty Police Officers. That [REDACTED] 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 [REDACTED] did not violate any department rules and regulations. That [REDACTED] 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 [REDACTED] was been progressing with an anger management problem.

[REDACTED] 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 [REDACTED] 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

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I put forth the following recommendation:

That while [REDACTED] 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 [REDACTED] with respect to my findings and opinion and I offered to him two avenues for evaluation; [Private consultation] Dr. [REDACTED], PhD of [REDACTED] Woonsocket, RI (401) [REDACTED] or [VA consultation] Providence Vet Center, [REDACTED], Warwick, RI (401) [REDACTED] 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

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813	M	W	[REDACTED]	[REDACTED]	401-364-1212
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CONTACT INFORMATION:

Home Phone	(Primary)	401-364-1212
Home Phone		[REDACTED]
Cell Phone	(Primary)	[REDACTED]
Work Phone	(Primary)	[REDACTED]
Work Phone	(Primary)	[REDACTED]
Work Phone	(Primary)	401-364-1212

BODY: NOT AVAIL.

DOB: [REDACTED]

LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC



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

Ref: 12-1-IA

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 [REDACTED] 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 [REDACTED] 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 [REDACTED] was joined by Ptlm [REDACTED] and Sgt [REDACTED] who started a search of the area behind the apartment complex for the male. He was identified by his girl-friend as [REDACTED]. 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 [REDACTED] was sitting in was not registered and had stolen tags out of Massachusetts on the truck. It was also determined that [REDACTED] did not have a drivers license. Because of this information along with the fact that [REDACTED] 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 [REDACTED] 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 [REDACTED] was attacked by [REDACTED] who was hiding under a trap in the rear of the complex. In the process of being attacked and trying to defend himself, Ptlm [REDACTED] drew his service weapon and fired several times at [REDACTED]. [REDACTED] was not hit by any rounds, but did continue to fight Ptlm [REDACTED] until Ptlm [REDACTED] and [REDACTED] arrived. Ptlm [REDACTED] used his "Taser" unit to subdue [REDACTED] and take him into custody.

[REDACTED] was treated and transported to South County Hospital along with Ptlm [REDACTED]. Ptlm [REDACTED] was treated and transported to [REDACTED] Hospital with Ptlm [REDACTED]. 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 [REDACTED].

Sgt. Philip B. Gingerella Sr.

Ref: 12-1-IA

Use of Force - Internal Review of 12-52-OF. ([REDACTED])  
Handed over to RI State Police and RI Attorney General's Office Immediately on February 16, 2012  
Received finding from RI Attorney General's Office (Stacey Veroni) of June 6, 2012.

On February 16, 2012 at approximately officers of the Charlestown Police Department responded to #31 [REDACTED] Drive for a reported loud music complaint. The below facts are from the report of Sergeant Philip Gingerella, OIC on duty the night of the incident, and recounted in the findings of the report of Assistant Attorney General Stacey P. Veroni which is included in the case file 12-1-IA.

### Summary of Fact

1. Officers [REDACTED] were dispatched to [REDACTED] Drive Apt. 3B.
2. Officers attempted to make contact with Mr [REDACTED] of that address for loud music coming from his truck in the parking lot.
3. Mr [REDACTED] who was in his truck at the time officers arrived, fled into apartment 3B. Contact was made with his girlfriend (Ms. [REDACTED]), also present at the apartment. Mr. [REDACTED] exited the back window of the apartment and fled into the field and wooded area.
4. A check of Mr. [REDACTED] license showed suspended. A check of the truck through NCIC showed it to have previously been reported stolen. No warrants for Mr. [REDACTED], he was the registered owner of the truck.
5. Unclear why Mr. [REDACTED] fled from the apartment, (he stated later that he thought he had outstanding warrant).
6. Officers [REDACTED] checked field and wooded area behind apartments for [REDACTED].
7. Officer [REDACTED] made contact with [REDACTED] behind a barn, under a plastic tarp. Officer [REDACTED] could not see Mr. [REDACTED] hand and drew his weapon and asked to see Mr. [REDACTED] hands. Mr. [REDACTED] approached Officer [REDACTED].
8. A confrontation between [REDACTED] and [REDACTED] took place. (Described in detail in RISP witness statements on file with RI Attorney General).
9. During the altercation Mr. [REDACTED] assaulted Ptlm. [REDACTED] in the head with a Officer [REDACTED] portable police radio. Ptlm. [REDACTED], fearing serious bodily injury, discharged his firearm in the direction of Mr. [REDACTED]. No bullets struck Mr. [REDACTED]. Officer [REDACTED] was able to break away from the struggle and reholster his weapon.
10. Ptlm. [REDACTED] ran to the location of the altercation and gunshots and used a taser ECD and impact tool to subdue Mr. [REDACTED] and take him into custody for the assault.
11. Sgt. [REDACTED] arrived shortly after and took charge of the scene. Officer [REDACTED] and [REDACTED] went to [REDACTED] Hospital for evaluation and treatment. Mr. [REDACTED] went to [REDACTED] Hospital for evaluation and

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NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA

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treatment.

12. Chief [REDACTED] was notified by dispatch and responded to the scene. Lt [REDACTED] notified by Chief [REDACTED] and responded to the scene.
13. RI State Police notified immediately along with RI Attorney General's Office of an officer involved shooting.
14. RI State Police Detectives processed the scene at #31 Lauri Drive. Seized weapon of Ptlm. [REDACTED], duty gear, portable radio, uniform. Recovered three empty .40 caliber shell casings from area of shooting.
15. RI State Police Detectives responded to hospital to speak to Mr [REDACTED] taken into custody by RISP.
16. RI State Police responded to Ptlm. [REDACTED] residence to get statement of the assault upon him. RI State Police responded to Charlestown Police Department to speak with officers involved, interview [REDACTED], collect evidence.
17. All officers involved were interviewed the following afternoon at Charlestown Police Department by RISP Detectives.
18. [REDACTED] arraigned by RI State Police on charges, released on bail. (Assault on a Police Officer, Resisting Arrest and Obstruction of Justice.
19. Ptlm. [REDACTED] was placed on "injured on duty status" for undetermine amount of time to recover.
20. All officers that used force, [REDACTED] and [REDACTED] were required to complete a Charlestown Police Department "Use of Force Report" and/or "ECD Use Report" form.
21. I recovered audio recording data from the radio dispatchs of the evening in question. They were provided to RISP investigators and are in the case file.

**(\*\*Findings of the RI Attorney General's Office determined that the force used to subdue [REDACTED] by all parties involved was objectively reasonable and not excessive). Specifically that Ptlm. [REDACTED]'s use of lethal force was "proper" (Page 3, paragraph 5 of RI AG report June 6, 2012).**

**Investigation concluded based on States findings. No further action needed.  
RI State Police and Attorney General's Office would not release statements taken by Detectives to Charlestown Police Department for review.  
Items seized have been returned to Charlestown Police Department by RI State Police.**



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Investigative Report**

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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	SSN	PHONE
1	[REDACTED]	REPORTING PARTY	F	W	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED] 02920						

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	M	W	[REDACTED]	NOT AVAIL	401-364-1212
	4901 OLD POST RD CHARLESTOWN RI 02813					
	CONTACT INFORMATION:					
	Home Phone (Primary)				401-364-1212	
	Work Phone (Primary)				401-364-1212	
	BODY: NOT AVAIL.				COMPLEXION: NOT AVAIL.	
	DOB [REDACTED]				PLACE OF BIRTH: NOT AVAIL.	
	LICENSE NUMBER: RI [REDACTED]				ETHNICITY: NOT HISPANIC	
	EMPLOYER/SCHOOL: CHARLESTOWN POLICE DEPT • 401-364-1212					

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The following narrative is based on the facts and circumstances involving [REDACTED] actions while off duty in the [REDACTED] on May 4, 2013:

On May 3, 2013 [REDACTED] reported for duty at 3:00 PM to work his assigned 3:00 to 11:00 PM shift. According to the shift supervisor, Sgt. [REDACTED] asked him earlier in the shift if he could leave sick at 7:00 PM, because he was not feeling well. Sergeant [REDACTED] granted the request and logged him out sick at 7:00 PM, which was properly reflected on the departments police attendance log. The Sergeant observed [REDACTED] leave the station in uniform in his personal vehicle and head in the direction of his residence.

Sometime after leaving work sick, [REDACTED] met with off [REDACTED] and went to the [REDACTED] in Providence and consumed an unknown amount of alcoholic beverages. According to Lt. [REDACTED] sometime around 2:00 to 2:30 AM, he received a call from [REDACTED] stating that Officer [REDACTED] was "out of control" and was asked to intervene. Officer [REDACTED] ex-girlfriend, [REDACTED], stated in her witness statement to the [REDACTED] Police that [REDACTED] called her heavily intoxicated and asked to come over to her house, however, she refused because he had sent her a text stating that he was "contemplating killing himself". According to [REDACTED], at one point Lt. [REDACTED] Office [REDACTED] and herself were put on speaker phone by Lt. McMahon. During the conversation [REDACTED] tti and Lt. [REDACTED] informed Officer [REDACTED] that due to his intoxication it was best to speak in the morning, which [REDACTED] agreed.

At approximately 4:00 AM, Officer [REDACTED] arrived at the [REDACTED] residence at [REDACTED] and rang the doorbell. [REDACTED] mother woke her up and informed her that someone was ringing the doorbell. When they looked outside they saw that it was [REDACTED], which made them nervous do to his her statements about killing himself. At approximately 4:03 AM, the homeowner, [REDACTED], called 911 stating that her daughter's ex-boyfriend was outside of the house threatening to shoot himself. She informed the operator that the ex-boyfriend was an off duty police officer.

Upon the officers arrival they observed a [REDACTED] pickup truck, later identified as Officer [REDACTED] vehicle, running with its lights on directly in front of the [REDACTED] residence. At least four [REDACTED] Police officers arrived on scene. The first officer on scene, Lt. [REDACTED], issued verbal commands for Officer [REDACTED] to exit the vehicle, however his commands were ignored. Lt. [REDACTED] spent several minutes issuing the same verbal commands to exit the vehicle. Officer [REDACTED] eventually exited the vehicle, however he refused to raise his arms as instructed and continually reached into his pockets while walking towards the Lieutenant. At some point Officer [REDACTED] complied and raised his arms. [REDACTED] was able come from behind and physically detain Officer [REDACTED] and check him for weapons. No weapon was located on his person. Officer [REDACTED] was then detained in a police cruiser. Upon searching Officer [REDACTED] vehicle the officers located a loaded Glock 22, 40 Cal. pistol ([REDACTED]), two portable radios, a Charlestown Police badge and handcuffs. These items were secured in Officer [REDACTED] duty belt behind the seat of the truck. One of the portable radios is assigned to Officer [REDACTED] (Hi-Band) and the other portable radio is a 800 radio that should be kept in the charger in his cruiser. It is unknown why the 800 portable was in his possession. The Glock pistol and the Hi-band portable radio are department issued equipment.

Once Officer [REDACTED] was secured, Lt. [REDACTED] and Officer [REDACTED] interviewed and obtained a witness statement from [REDACTED]. [REDACTED] informed the officers that [REDACTED] and her recently broke off their relationship, which he was having a difficult time dealing with. She informed the officers that [REDACTED] was out at the Whiskey Republic, later determined to be a night club in Providence, and that he called earlier asking to come over and that he sounded intoxicated. After refusing to see him he started to argue with her via text. One of the text messages stated "Hope your happy cause I'm

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contemplating on killing myself right now." "Have a great night." This was the second time that morning that he made a reference to taking his life. The first statement he made was that he was going to home to "pick up the cat and just slt on the bed and kill himself." (Refer [REDACTED] statement).

After obtaining [REDACTED] statement, Lt. [REDACTED] spoke with Officer [REDACTED] and informed him that he was going to the hospital based on his suicidal statements. Officer [REDACTED] became "belligerent" and denied making suicidal statements. The Lieutenant informed him that he viewed the text messages himself. Officer [REDACTED] still denied ever making any such statements. When the rescue responded to the scene, Officer [REDACTED] became "irritable" and began to talk down to the [REDACTED] Police Officers by making statements such as "typical [REDACTED] bull shit" and blaming the [REDACTED] Police for ruining his life. An officer was assigned to the rear of the rescue due to his uncooperativeness. The officer assigned to the transport, Officer [REDACTED], stated that Officer [REDACTED] had a presence of alcoholic beverage emanating from his breath as he spoke, however he did not appear to be intoxicated. Officer [REDACTED] stated [REDACTED] answered the rescue staff's questions clearly and concisely and denied making suicidal statements. He added that his ex-girlfriend's mother was crazy and that she made false statements. It should be noted that the only statement made by [REDACTED] was to the 911 operator. Officer [REDACTED] stated to the Officer that his career was "over" and that "You guys ruined my life."

At approximately 4:19 AM, [REDACTED] Police Sergeant called the station and asked for the on duty OIC. Dispatcher [REDACTED] mentioned that there was no supervisor working. The Sergeant then asked who was in charge when no OIC was working and as he was about to say Lt. [REDACTED] when he was interrupted and informed that he had a phone number for Lt. [REDACTED] (Refer to taped phone call).

On May 4, 2013 at approximately 4:30 AM, I received a call from Lieutenant [REDACTED] stating that Officer [REDACTED] had an off duty incident in [REDACTED] and that he was in route to the [REDACTED] Police station. Upon inquiring on the nature of the incident, Lt. [REDACTED] stated that Officer [REDACTED] went to his ex-girlfriend's house in [REDACTED] intoxicated while in possession of his duty weapon and threatened to commit suicide. In addition, he stated that Officer [REDACTED] was initially uncooperative with the responding [REDACTED] police officers and that they had to take him down at gun point. He informed me that he was going to [REDACTED] Hospital for a psychological evaluation and that he was going via ambulance. At that time the Lieutenant did not know if [REDACTED] had pending criminal charges. I informed the Lieutenant that I was going to respond to the hospital. He then informed me that [REDACTED] was also responding to the hospital. Upon inquiring why both himself and [REDACTED] were notified to respond before me he explained that [REDACTED] had his cell phone and that [REDACTED] was responding because he had the ability to "calm [REDACTED] down".

While in route to the Rhode Island Hospital I called dispatch and asked Dispatch [REDACTED] to call [REDACTED] Police and have their Officer in Charge give me a call. Captain [REDACTED] called me and told me that Officer [REDACTED] arrived to his ex-girlfriend's house and threatened to harm himself and that his officers responded after the girlfriend call 911. He stated that once on scene, Officer [REDACTED] was sitting in his car and initially refused to acknowledge his officers who were commanding that he exit his vehicle and to show his hands. He stated that Officer [REDACTED] eventually exited his vehicle, however kept his hand in his pocket and ignored several commands to remove his hand from his pocket. Therefore, his officers had to physically take him down to the ground and secure him in handcuffs. He stated that Officer [REDACTED] was verbally abusive towards his officers and was eventually transported via ambulance to the hospital for an evaluation. I asked the Captain if the department had pending charges and he stated that he would have to review the reports and speak to his Chief.

At approximately 5:15 AM, I arrived at the [REDACTED] Hospital Emergency room and informed the triage receptionist who I was

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and that I was there to check on one of my officers. I was let into the corridor of the ER and while standing by the nurses' station I observed Officer [REDACTED] walking down the hall with two nurses. It was evident to me at this time that Officer [REDACTED] had been consuming alcoholic beverages. I determined this by his unsteady gait as he walked as well as his overall appearance and demeanor. In addition, as soon as Officer [REDACTED] saw me he started to become upset and waving his arms stating that "this was not going to happen and that he was not in trouble" and that he was going to lose his trooper job." At that time I could detect an odor of alcoholic beverages emanating from his mouth. At that time I asked him to settle down and to do as the nurses instructed. Officer [REDACTED] was less than cooperative with me as well as the nurses. Once seated on the hospital bed with the curtain open, a nurse walked in, held out a hospital "Johnny" and instructed him to put it on. At that point he became less cooperative and refused to put on the Johnny. After some pleading by the nurse and me to cooperate she agreed to allow him to keep his pants with the Johnny. He complied and when the nurse told him that he was going to have to give blood and to provide a urine sample he stated that he would not because he knew his rights. At around this time Lt. [REDACTED] showed up at the hospital. The lieutenant mentioned to me several times that he believed Officer [REDACTED] was intoxicated and was uncooperative. At one point I asked Officer [REDACTED] a question and when he did not answer Lt. [REDACTED] yelled at him to [REDACTED]. [REDACTED] arrived sometime after the Lieutenant. After the Doctor examined Officer [REDACTED] sometime at 7:30 AM and it was determined that he was being admitted, I informed the Lieutenant that I was leaving. At that time Lt. McMahon informed Det. [REDACTED] that both of them needed to leave before Officer [REDACTED] was informed that he was being admitted so that the hospital staff could do their job, which he believed would be less disruptive. I left the hospital before Lt. [REDACTED] and Det. [REDACTED].

On Saturday I contacted the Town Administrator [REDACTED] and informed him of the incident.

On Saturday evening both Det. [REDACTED] and Lt. [REDACTED] contacted me to inform me that Officer [REDACTED] was admitted and that he would be at the hospital for 3 to 5 days.

On Sunday, May 5th, I received a call from Lt. [REDACTED] stating that Officer [REDACTED] would be released that day.

On Sunday afternoon I called Col. [REDACTED] to apologize on behalf of the police department for Officer [REDACTED] behavior. At that time the Colonel had very little information and stated that he would review the report on Monday for potential charges.

On Monday, May 6th, I spoke to Major [REDACTED] about obtaining the police report as well as to inquire about charges. At that time he stated that their department had no pending charges against Officer [REDACTED]. The Major faxed me a copy of the police report, which included a copy of text messages that Officer [REDACTED] sent to his ex-girlfriend, [REDACTED] as well as her hand written witness statement.

After reviewing the police report I responded to the Town Administrator's office to discuss the incident. Administrator [REDACTED] and I were in agreement that Officer [REDACTED] needed to have a Fitness for Duty Evaluation (FFDE) prior to returning to work for the overall safety and well being for Officer [REDACTED] and the community at large.

On Monday at approximately 11:30 AM, I called Officer [REDACTED] to check on his well being. At that time he stated he was doing well and was eager to move forward. Officer [REDACTED] apologized for his behavior and for embarrassing the department and me. He said that he knew that he would be receiving a suspension and that his only request was that I be lenient on him because he had a mortgage to pay. I informed him at that time that he was suspended with full pay and



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benefits until an internal investigation was complete and that a letter would be hand delivered to him that afternoon stating the same. In addition, I informed him that I would be seeking a fitness for duty psychological examination prior to him returning to work. At that time he stated he understood.

On Monday afternoon I called Dr. [REDACTED] from [REDACTED] testing services to set up an independent psychological examination (Fitness for Duty Evaluation). Dr. [REDACTED] informed me that she was unable to examine Officer [REDACTED] due to her case load. After explaining the situation to her she suggested that I receive a medical release from Office [REDACTED] so that I could obtain the records from his [REDACTED] Hospital examination and his out patient visit at [REDACTED] Hospital and that if that the two physicians state that he is fit to return to full duty status then that would suffice. I called Officer [REDACTED] and asked him to provide a medical releases for his stay at [REDACTED] Hospital and his outpatient examination at [REDACTED] Hospital in order to expedite his potential return to work. Later that afternoon [REDACTED] responded to my office stating that Officer [REDACTED] would not be providing medical releases and that I was not entitled to his medical records. I explained to him that it was a suggestion from Dr. [REDACTED] and that Officer [REDACTED] may not need any other third party psychological examinations.

On May 7th, [REDACTED] suggested that I contact Attorney [REDACTED] and have him work it out with the FOP attorneys. I agreed and call Attorney [REDACTED] and asked him to contact the FOP attorneys to work out the matter of the Fitness for Duty Evaluation.

On May 8th Attorney [REDACTED] called to inform me that he spoke with the FOP lawyer [REDACTED] and that they both agreed that the town could require a third party psychological examination prior to Officer [REDACTED] return.

On May 8th I located a Dr.'s note under my door from Dr. [REDACTED] stating that Officer [REDACTED] is in good health and fit for duty. After consulting with Attorney [REDACTED] he stated that a note from Officer [REDACTED] primary care physician would not suffice as a psychological clearance for full duty.

On May 9th [REDACTED] provided me with a Dr.'s note from Dr. [REDACTED]. The note was dated May 8th and it stated that Officer [REDACTED] is psychiatrically cleared to return to regular duty as a police officer. I informed [REDACTED] that is was the position of the town that [REDACTED] be examined by a doctor that had expertise in Fitness for Duty Evaluations of police officers. I informed him that if Dr. [REDACTED] had the credentials demonstrating expertise in FFDE, the town would consider an examination from her if in fact she had the qualifications. He stated that he was not sure if she had the necessary qualifications. That being the case, I informed him that time was of the essence, therefore I would be moving forward with an examination with Dr. [REDACTED] on May 15th at the [REDACTED] in Providence, RI.

On May 10th, at approximately 11:15 AM, I called Officer [REDACTED] and informed him that he was to report to a FFDE with Dr. [REDACTED] on May 15th at the [REDACTED] Hotel in Providence with a time to be determined. I explained that Dr. [REDACTED] needed all of his medical records relative to any psychiatric issues he has had in his past as well as all Dr.'s visit concerning the incident on May 4th in [REDACTED], RI. He stated the understood.

On May 10th, I heard back from Dr. [REDACTED] who stated that the appointment would be at 1:00 PM on May 15th. Prior to leaving work I emailed Officer [REDACTED] the time of the appointment and Dr. [REDACTED] instructions. When I returned to work on Monday I had a return e-mail from Off [REDACTED] acknowledging my email.

On Monday morning, May 13th, I asked Sgt. [REDACTED] to hand deliver a letter to Officer [REDACTED] that outlined the details for the FFDE on May 15th. Sgt. [REDACTED] called Officer [REDACTED] prior to responding to his residence informing him that



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he would be coming to his house to hand deliver a letter from my office. Officer [REDACTED] stated he had an previous obligation so he would not be home. He asked that the letter be put under the door. The Sergeant informed me he put the letter under the door and left the premises.

On May 15th, Officer [REDACTED] met with Dr. [REDACTED] for the FFDE.

On May 16th, Dr. [REDACTED] informed me that she needed to speak with a family member of Officer [REDACTED] and a co-worker before she completed her report. She stated that she was going away on vacation in California but that she would take the file with her so that she could finish her report in a timely fashion. She did not provide a date that it would be complete.

On May 16th, I called Officer [REDACTED] to inform him that the internal investigation was complete and I was prepared to meet with him to discuss the out come of the investigation. We set an appointment to met on May 17th at 3:00 PM in my office.

On May 17th, Officer [REDACTED] and I met in my office to discuss the outcome of the internal investigation. At that time I presented him with a memorandum that summarized the incident and outlined the discipline. Officer [REDACTED] reviewed the memorandum and accepted the eight (8) day suspension without pay. He asked that I rescind one of the department Rules and Regulation violations, which was Moral Conduct. I informed him that I would consider removing this violation after he provides a memorandum asking that it be removed. I informed Officer [REDACTED] that Dr. [REDACTED] report was not complete, therefore he is going to have to use his sick time until the report is in my possession.

On May 21st, I called and left a message with Dr. [REDACTED] asking her approximately how long it would be before her report was complete.

On May 22nd, I forwarded Dr. [REDACTED] the information concerning the departments EAP ( Employees Assistance Program), which she requested in order to be able to forward any recommendations for follow-up.

On May 28th, Dr. [REDACTED] called stating that she was holding off on her report until she heard from Officer [REDACTED] "treater" and his co-worker, Officer [REDACTED]. She stated that she left messages for both people several times but had not received return calls. Dr. [REDACTED] asked that I give Office [REDACTED] her telephone #, which I did via text with a message. I also called Officer [REDACTED] and informed him of the delay. I also provided [REDACTED] with Dr. [REDACTED]'s telephone #.

On May 31st, I received Dr. [REDACTED] report and that afternoon Officer [REDACTED] came in per my request to review the report. He read the conditions of the report, which called for him not to return to full duty status until June 27th. In addition, he has to comply with Dr. [REDACTED] recommended follow-up treatment that will be forwarded to the EAP in Warwick. Officer [REDACTED] excepted the report as presented and left the office with a copy.

On June 3rd, I e-mailed Officer [REDACTED] a copy of a proposed schedule for the month of June, which will consist of 8 (eight) days of suspension time without pay. The suspension was broken up to 4 (four) days over two pay periods. With the (8) suspension days in conjunction with unused vacations days, Officer [REDACTED] should be cleared to return to full duty on June 29th. Officer [REDACTED] returned my e-mail acknowledging and accepting the proposed schedule.

On June 7th, Dr. [REDACTED] called stating that she was in touch with the EAP and would be forwarding her information to them to assist in Officer [REDACTED] proposed follow-up treatment.

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On June 10th, [REDACTED] from [REDACTED] EAP left me a message informing me that Officer [REDACTED] gave her a verbal to let me know that he has made an appointment with them for June 17th at 3:30 PM.

On June 24th, I received a call from [REDACTED] from [REDACTED] EAP stating that Officer [REDACTED] was conforming to some of Dr. [REDACTED] recommendations but not all them.

On June 26th, I spoke to [REDACTED] who agreed to conform to all of Dr. [REDACTED] recommendations because he could not afford to stay out of work. Prior to him agreeing to conform there was numerous discussions between the union president, [REDACTED] Attorney [REDACTED] and myself concerning [REDACTED] non-compliance.

On June 27th, I called [REDACTED] and advised him that he could return to work, but that he had to meet with EAP and conform to all of the recommendations.

On July 1st at approximately 3:00 PM, Officer [REDACTED] called out sick for his first day back to work.

On July 2nd, [REDACTED] from EAP called stating that Officer [REDACTED] responded to his office and signed all of the medical releases. He informed [REDACTED] that he agreed to follow all of Dr. [REDACTED] recommendations.

On July 16, I received a grievance from Office [REDACTED] date July 15th. Officer [REDACTED] cites Article 43, Sec. 43.2, paragraph 2 as the area that the town is violating. He is asking that the directive for on-going blood work be discontinued. My position on this would be that if Dr. [REDACTED] is asking for blood work as part of her recommendations based on her FFDE examination then he needs to continue with her recommendations. It was the unions demand that I not be privy to all of the details in the FFDE report authored by Dr. [REDACTED], and that it would be the EAP that would monitor the process.

On July 16th, I sent Officer [REDACTED] an email asking him what day he would like to meet. The CBA dictates that I will set up a meeting with the officer and union with 7 calendar days. The email was CC to Union [REDACTED]

On July 16th, I contacted EAP [REDACTED], and asked him if Dr. [REDACTED] has changed her initial recommendations of follow-up treatment. [REDACTED] stated that nothing has changed. He stated that one of Dr. [REDACTED] recommendations was a drug screen. [REDACTED] stated that he called Dr. [REDACTED], who is Office [REDACTED]'s physician, and informed him of the Dr. [REDACTED] recommendation of a drug screen. [REDACTED] stated that it was Dr. [REDACTED] who recommended "randomizing" the test to maintain the integrity of the process/test. The reason I called [REDACTED] was because President [REDACTED] stated that [REDACTED] was under the impression that Dr. [REDACTED] has changed her initial recommendations to more stringent recommendations, i.e. Random drug tests. [REDACTED] stated that Dr. [REDACTED] recommendations have not changed since the inception of the FFDE process.

On July 16th, I contacted Officer [REDACTED] to set up a time that we could meet to discuss the grievance. We made arrangements at that time to meet on July 17th around 4:00 pm.

On July 17th, at approx. 4:00 pm. Officer [REDACTED] and I met in my office to discuss his grievance, which was required by the CBA. Officer [REDACTED] position was that Dr. [REDACTED] required drug screen was too much and unnecessary. He said that his physician also agrees that it was unnecessary because he was the expert in his medical condition and not Dr. [REDACTED]. Officer [REDACTED] proceeded to describe in detail about his medical condition, which I told him that I did not want to know. His grievance explained in detail his medical condition as well as the prescribed [REDACTED]. I informed him that

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according to the EAP that it was his physician that felt that random tests would yield the best results. His concern is that Dr. [REDACTED] was never happy with his [REDACTED] use from the moment he informed her that he was taking it under a Dr.'s care. It is his position that she is under the impression that he has "roid rage"/side effects from the [REDACTED] that in her opinion he should not be taking. By the end of our meeting I informed him that the town was going to stay on course with the original plan which was to follow through Dr. [REDACTED] recommendation through the EAP and that I was going to deny the grievance.

On July 22nd, I sent Officer [REDACTED] and FOP President Det. [REDACTED] a memorandum stating that I was denying the grievance.

On August 1st, Det. [REDACTED] asked that I obtain a copy of Dr. [REDACTED] full report so that the union and the department can see Dr. [REDACTED] recommendations and see what she was using as "cause" for blood tests. I immediately called [REDACTED] from EAP and asked if we could obtain a medical release from Officer [REDACTED] so that we could obtain Dr. [REDACTED] full report with recommendations. [REDACTED] stated that Officer [REDACTED] had the full report and that he could give it to anyone he wanted too.

On August 6st, Det. [REDACTED] asked if I received the full report and I informed him that [REDACTED] stated that Officer [REDACTED] had the full report and that he could release it to anyone he wanted. [REDACTED] stated that he would rather get the full report directly from Dr. [REDACTED] so as to ensure that he was getting the full report. He stated that he didn't have faith in Officer [REDACTED] to provide the entire report.

On August 6st, I emailed Dr. [REDACTED] and asked her what she used for "cause" to recommend blood tests and I also asked if Officer [REDACTED] had the full report.

On August 7th, I received an email from Dr. [REDACTED] asking that I call her. We did speak on the phone around 10:15 AM concerning my email. She stated to me that she never ordered blood tests and that she had no idea who asked for such tests. She went on to say that she would not order blood tests given the circumstances. Once I hung up the phone I immediately informed [REDACTED] that what Dr. [REDACTED] stated. I informed [REDACTED] that I believe the EAP took it upon themselves to order the tests. I then called [REDACTED] from EAP and told him that Dr. [REDACTED] never asked for blood tests. He then read page 5 item 3 of the report, which stated he Officer [REDACTED] should be monitored. I then pointed out that "blood tests" were never mentioned and he replied "how else can you monitor without blood tests". I asked him to call Dr. [REDACTED] ASAP and to make sure that Officer [REDACTED] does not provide blood tests. I also asked him at that time if he provided any such tests and he replied that he didn't know because he has not received any reports. I provided [REDACTED] with the Dr.'s telephone number. Within a short time [REDACTED] called me back stating that he spoke to Dr. [REDACTED] and that she reiterated exactly what I had stated to him in our earlier conversation. He said that Dr. [REDACTED] intention was to receive "monty verbal reports from Officer [REDACTED] doctor.

At this time I believe the confusion about blood tests was due to using a "middle man" (EAP) as the monitor of Dr. [REDACTED] recommendations because the union did not want me to have her entire report, therefore I never had in writing all of her recommendations. In addition, it appears to be rather obvious that [REDACTED] was presumptuous by asking for blood tests, because the reality is that Dr. [REDACTED] never asked for blood tests.

On August 8th, I received an email from Dr. [REDACTED] stating, "That I think there was a misunderstanding my recommendations, but it is all cleared up now". No blood tests ordered by me."



**Charlestown Police Department  
Investigative Report**

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	AGE	SSN	PHONE
2	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813 DOB: 02/16/1972 EMPLOYER: CHARLESTOWN POLICE DEPT CONTACT INFORMATION: Home Phone (Primary)	WITNESS	M	W		[REDACTED]	401-364-1212
3	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813 DOB: NOT AVAIL EMPLOYER: CHARLESTOWN POLICE CONTACT INFORMATION: Work Phone (Primary)	WITNESS	M	B	00	NOT AVAIL	
4	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813 DOB: 05/03/1985 EMPLOYER: CHARLESTOWN POLICE CONTACT INFORMATION: Work Phone (Primary) Work Phone	WITNESS	M	W	29	NOT AVAIL	401-213-6900

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED] 4901 OLD POST RD CHARLESTOWN RI 02813 CONTACT INFORMATION: Home Phone (Primary) Home Phone Cell Phone (Primary) Work Phone (Primary) Work Phone (Primary) Work Phone (Primary)	M	W	34	[REDACTED]	

BODY: NOT AVAIL.

COMPLEXION: NOT AVAIL.

LICENSE NUMBER: [REDACTED]

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC

Charlestown Police Department  
Investigative Report

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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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EMPLOYER/SCHOOL: CHARLESTOWN POLICE - 401-364-1212

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\*\*\*CONFIDENTIAL PERSON REPORT\*\*\*  
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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] [REDACTED] CHARLESTOWN RI 02813 CONTACT INFORMATION: Home Phone (Primary) Home Phone	COMPLAINANT	[REDACTED]				[REDACTED] [REDACTED] 401-364-1212
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On October 15th at approximately 8:30 AM, Dispatcher [REDACTED] came to my office per my request to discuss her return to work. Lt. Paliotta was present in the meeting.

The reason for the meeting was to make sure that Ms. [REDACTED] was comfortable returning to work and to determine what her expectations were of the department moving forward. She stated that she was happy to return to work and that she was doing well emotionally and physically. I explained to her that the department moved Officer [REDACTED] from her shift and placed him on the second shift for a "cooling off period" until I had an opportunity to speak her about any concerns that she may have about Officer [REDACTED] or her return to work. She stated that she felt the department handled the situation well and that she was ready to move on. In addition, she stated that she would ultimately like an opportunity to meet with Officer [REDACTED] with Lt. Paliotta and I to open up a dialogue between the two of them. She expressed a desire to once again become friends with Officer [REDACTED]

I explained to Ms. [REDACTED] that Sgt. [REDACTED] was out with a job related injury, but was due to return to work on November 5th pending medical clearance and upon his return we can work on a schedule to limit the amount of time she had to work with Officer [REDACTED]. She said that she understood and that as long as Sgt. [REDACTED] was working or Officer [REDACTED] she would be comfortable working on the shift with officer [REDACTED]. I asked her, as I did when she made her initial complaint, if she felt threatened by Officer [REDACTED] in any way. She stated that she did not believe that Officer [REDACTED] was a threat or danger to her.

While in my office Ms. [REDACTED] expressed that she wanted to entire department to come together and to stop speaking poorly about one another. She stated that it has been a problem in the agency for years and that is the main reason she voluntarily left 2nd shift to go to third, so that she could get away from the negative speech from the second shift group. In addition, she stated that the new harrassment policy was a positive step to move the department in the right direction.

On October 24th Officer [REDACTED] asked if he could work an overtime shift on that date at 11:00 pm with Dispatch [REDACTED]. I called Disp [REDACTED] and asked her if she was ready to work with Officer [REDACTED] and she stated that they have already exchanged greetings in between shifts and that she was alright with him working the overtime shift. I asked her to send me and email in the morning to let me know how the shift went. The following is what she sent me via email, which I cut and pasted to this document.

Good Morning Chief, last night went quite well. We also had the opportunity to speak in a limited capacity to begin clearing the air and repairing our "friendship". I know he is dying to come back to thirds, and last night was actually very pleasant. Ironically he wants me to talk with [REDACTED] before he comes to you about coming back. We have both been humbled through out this experience. As I told you on the phone yesterday, I did NOT tell [REDACTED] last night...so for me the best approach is to tell him today....he can't get mad after I already did it...and hopefully he will see that I didn't tell him because I wanted him to sleep ...and now I can, because it was a very enjoyable shift.

and just an insight...if you were to switch [REDACTED]'s schedule with [REDACTED]....that would put [REDACTED] with [REDACTED] 3 out of his 4 days, and only 1 with us together without a supervisor...but [REDACTED] also works that night and as does [REDACTED]

Or the other option could be to switch two of my days with two of [REDACTED] days ...putting me on [REDACTED]'s exact rotation. If I worked [REDACTED] night's and my first two, all 4 night [REDACTED] is scheduled. I don't mind moving...just need a little notice to rearrange schedule.

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On September 17, 2014, Officer [REDACTED] received a memorandum from me explaining the disciplinary action that he would be receiving. The discipline consisted of a letter of reprimand as well as counseling from the department's EAP. The discipline memorandum is on record in this file. I found that there was sufficient evidence to sustain the allegations.

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

Since Dispatcher [REDACTED] made the complaint as well as asked that it be withdrawn, Dispatcher [REDACTED] has informed the agency that she suffers from [REDACTED] disorder and that she is under a doctor's care. At the time of the initial complaint in 2014, Officer [REDACTED] stated that Dispatcher [REDACTED] 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 [REDACTED] has always maintained that both he and Dispatcher [REDACTED] 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 Office [REDACTED] personnel file. Since this initial complaint by Ms. [REDACTED], both Ms. [REDACTED] n and Mr. [REDACTED] have worked together on numerous occasions without any adverse situations taking place. Although I am removing Ptlm. [REDACTED] discipline from the file that doesn't negate the fact that a complaint was made and appropriately handled. Ptlm. [REDACTED] 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, Dispatch [REDACTED] was relieved from work as a result of statements she made to me as well as others concerning her mental health status. Ms. [REDACTED] has since provided a Dr.'s note putting her out of work until March 1, 2016. (Refer to 16-1-IA).



**Internal Investigation**  
**(Officer Misconduct)**

(09-10-14)

1. On the morning of September 10, 2014 I, Lt. Paliotta, was notified by Chief of Police Jeffrey Allen of the Charlestown Police Department, of a meeting to be held in his office at approximately 8:30 AM, between the Chief and Disp. [REDACTED] of the Charlestown Police Department. Chief Allen asked that I attend the meeting as the division commander and direct supervisor of all dispatch and patrol personnel. The meeting was held in the Chief's office. At that time Disp. [REDACTED] divulged that she wanted to file a formal complaint of harrasment and intimidation against another member of the department. Her demeanor was nervous and emotional and she stated she was in fear of retaliation for coming forward with the complaint. In her verbal statement to Chief Allen, Disp. [REDACTED] began to articulate what she believed to be a pattern of misconduct on the part of Ptlm. [REDACTED]. Disp. [REDACTED] had some hand written notes to which she referred in an attempt to identify specific incidents in which she felt uncomfortable, intimidated or harassed by Ptlm. [REDACTED].
2. At the conclusion of the meeting, I was instructed by Chief Allen to take a formal written statement from Disp. [REDACTED] detailing her accusations. At about 10:00 AM September 10, 2014, I took a formal statement from Disp. [REDACTED] in my office. In her statement she referred to at least three (3) incidents between July 16, 2014 and September 10, 2014 in which she was made to feel uncomfortable or intimidated in the presence of Ptlm. [REDACTED].
3. The first incident she articulated she thought took place on July 16, 2014 (actually took place on July 22, 2014) while working 2300-0700 shift. She stated that she had a discussion with Ptlm. [REDACTED] about a computer problem. She stated the discussion deteriorated into Ptlm. [REDACTED] verbally insulting Lt. [REDACTED] (not present at the time) of the Charlestown Police Department in relation to the computer issue in her presence. Disp. [REDACTED] stated at that time she told Ptlm. [REDACTED] she did not want to be a part of any negative talk about other employees. She went on to say that Ptlm. [REDACTED] then told her to get out of the patrol room and slammed the door on her. She also stated that a short time later that same evening, she tried to resolve the issue with Ptlm. [REDACTED]. She said he seemed receptive to her concerns and the incident seemed to be over.  
Disp. [REDACTED] stated that at a later date (August 7, 2014) shortly after the incident, she spoke to Lt. [REDACTED] about the negative comments Ptlm. [REDACTED] was making. Then on an unspecified date while on the third shift, Ptlm. [REDACTED] approached her and accused her of speaking to supervisors about his statements and "fucking with his career" and accused her of "stirring the pot".
4. Another incident she articulated was on August 22, 2014 while working the 2300-0700 shift. Disp. [REDACTED] stated that on that date she was working with Ptlm. [REDACTED] and Det. [REDACTED]. During the shift Ptlm. [REDACTED] and Det. [REDACTED] had occasion to be in the dispatch area. She stated that the conversation from Ptlm. [REDACTED] turned to a discussion of a sexual nature. At that time she claims that Ptlm. [REDACTED] made vulgar pornographic statements that made her feel uncomfortable. Among the statements she identified were references to who Disp. [REDACTED] thought was "hot" on the department; the fact that Ptlm. [REDACTED] was going to go home and "bang his old lady"; references to online pornography that included "anal beads" and "golden showers". Disp.

██████████ 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 ██████████ her husband while she was on the phone.

According to followup up statement of Disp. ██████████, she worked with Det. ██████████ on two occasions and these incidents happened over two different dates August ██████████ and August ██████████

5. The third incident of misconduct was alleged to have happened on September ██████████, 20██████████ while Disp. ██████████ and Ptlm. ██████████ along with Ptlm. ██████████ 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. Disp. ██████████ 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 occasions 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.

9. 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

the most recent September 4 incident (see witness statement of Ptlm. [REDACTED]). In general Ptlm. [REDACTED] stated he was very surprised at the complaint and thought he and Disp. [REDACTED] were had a great working relationship and he stressed that all conversations they had that may have been of a sexual nature were consensual on the part of both parties.

He also stated that at no time did he "slam a door" on her, but did admit closing the door on several occasions when she was around to prevent her from hearing his conversations with other officers because he had lost trust in her ability to keep anything private. He admitted openly to speaking about sexual topics in her presence but clarified the response by saying that he often prefaced the conversation with, "can I ask you a question about sex". He stated that she always said "Ok" or "Sure" and that most of the conversations were mutual and went back and forth with her sharing personal information with him as much as he did with her. At the end of the statement Ptlm. [REDACTED] wanted to add that he in no way wanted her to feel uncomfortable around him and never intended to intimidate or harass her in any way. Ptlm. [REDACTED] and Det. [REDACTED] left the office at 8:00 PM on September 11, 2014.

(09-12-14)

11. On September 12, 2014, I arranged to meet with Ptlm. [REDACTED] and Ptlm. [REDACTED]; two officer mentioned in the complaint as witnessing parties. I met with them separately at 7:00 AM and 8:00 AM.

Ptlm. [REDACTED] was interviewed first and stated he was present on two occasion when the door of the squad room was closed on Disp. [REDACTED]. He stated he did overhear a conversation/argument between Ptlm. [REDACTED] and Disp. [REDACTED] on or about July [REDACTED] (actually July 22nd) regarding the computer data and that the conversation did get "heated" and she was asked to leave the room and Ptlm. [REDACTED] did close the door but did not slam the door. On September [REDACTED] he states that he was also present when Ptlm. [REDACTED] closed the door and spoke loudly in an exaggerated tone so that the officers could discuss union business. Ptlm. [REDACTED] states that he never heard Ptlm. [REDACTED] go on rants about sexual topics in Disp. [REDACTED] presence. He ended his statement by saying that both Ptlm. [REDACTED] and Disp. [REDACTED] equally spoke negatively about members of the department at varying times and that the members of the shift had lost trust in her ([REDACTED]) ability to keep conversations private so they did not speak openly around her anymore. Ptlm. [REDACTED] also provided me with a copy of a Facebook posting from Disp. [REDACTED] dated on or about the time of the September 8th incident that stated, "Thank god I can shut the door....one voice that goes right through my head....just shut up already....we know you hate everyone....". I placed this copy in the file.

I next interviewed Ptlm. [REDACTED]. He stated that he was present on September [REDACTED] when Ptlm. [REDACTED] closed the door in the patrol room. His statement was consistent with Ptlm. [REDACTED] account that Ptlm. [REDACTED] did not slam the door, but did close it and did speak in an exaggerated tone toward her ([REDACTED]) prior to closing the door to talk privately. He added that he also has not been witness to Ptlm. [REDACTED] speaking about sex or acting in an overt manner to Disp. [REDACTED]. He also added that the tone on the shift has changed due to the officers not feeling they could talk openly in her presence. He stated that he too observed both parties speaking negatively about other members the department on many occassions.

12. At 10:00 AM I met with Det. [REDACTED] in my office and interviewed him as well. I took a statement and asked Det. [REDACTED] if he recalled working a third shift with both Disp. [REDACTED] and Ptlm. [REDACTED] in August. He stated he did remember. I asked him specifically if he recalled the conversation between Ptlm. [REDACTED] and Disp. [REDACTED] in the dispatch area that contained the sexual language. He stated he did recall the conversation but

does not remember any particular statements or content. He did recall that Ptlm. [REDACTED] was speaking over Disp. [REDACTED] when she was on the phone with her husband [REDACTED] and that Ptlm. [REDACTED] was making overt comments about [REDACTED] being a "big guy".

I asked if Det. [REDACTED] remembered references to "anal beads" or "golden showers" and he did not. I asked if he observed Disp. [REDACTED] participate in the conversation and he stated that she did participate and everyone present was laughing at different times throughout the conversation. I asked if he observed her to be uncomfortable or if he heard her tell Ptlm. [REDACTED] to stop talking about sex; he indicated that he did not observe that. I asked if he was uncomfortable with the conversation or if he indicated to Disp. [REDACTED] he was uncomfortable and he stated he was not and did not.

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)

14. On this date I forwarded a response to an email I had sent Disp. [REDACTED] asking for her to clarify some dates 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)

15. On this date I arrived at my office to find a large white envelope on my desk that contained hand written notes and narrative from Disp. [REDACTED]. I noted that this document contained all the same accusation and material as specified in her formal statement and copy of her notes that I had already entered into the file. Dispatcher [REDACTED] reviewed the IMC log to confirm dates of alleged incidents:

Dispatcher [REDACTED] clarified the timeline in a hand written follow up statement that was entered in to the file. For clarification, those dates are:

- a. 1st; first incident as referred to in interviews as July 16th at which time Ptlm. [REDACTED] got in an argument with Disp. [REDACTED] 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. [REDACTED] about negative speech by Ptlm. [REDACTED] as referred to in previous interviews took place on **August 7, 2014**.
- c. 3rd; a notice to Lt. [REDACTED] about Ptlm. [REDACTED] being disgruntled and negative comments as explained in previous interview occurred on **August 16, 2014**.
- d. 4th; **August 21, 2014**, Ptlm. [REDACTED] allegedly approached Disp. [REDACTED] in dispatch on third shift to address his concerns about her going to Lt. [REDACTED] about what his negative comments.
- d. 5th; **August 22, 2014**, incident in which Ptlm. [REDACTED], Disp. [REDACTED] and Det. [REDACTED] worked third shift and Ptlm. [REDACTED] allegedly talked openly and overtly about pornography.

Ref: 14-1-IA

- e. 6th; August [REDACTED], incident in which Ptlm [REDACTED], Disp [REDACTED] and Det [REDACTED] were again working together and Ptlm [REDACTED] allegedly spoke about [REDACTED] size while she was on the phone with him.
- f. 7th; Septembe [REDACTED], incident during which Ptlm [REDACTED], Ptlm. [REDACTED] and Ptlm. [REDACTED] were in squad room and door was shut on Disp. [REDACTED].
- g. 8th; Notification of administration of complaint.

I reviewed the document, allowed the Chief to read the document and entered it into the case file. I noted that the last paragraph of the hand written narrative indicated that Disp. [REDACTED] was in fear for her safety and was having panic attacks based on her divulging the complaint and her fear of reprisal from Ptlm. [REDACTED]. At that time the Chief of Police made phone call to Disp [REDACTED] and left a message for her to call him to discuss her concerns of retaliation.

On this date I was also presented with an email that the Chief printed up. He recalled sending the email to Disp. [REDACTED] in on August 25, 2014 asking her how she liked her new change to third shift. Her response at that time was articulated as, "I love it, it is working out really well! Especially because my youngest has a broken arm so lots of doctor's appointments, Thanks for asking". I entered it into the file.

(09-16-14)

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

Charlestown Police Department  
Investigative Report

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			
1	Drug / Narcotic Violations			C
	OCCURRED: 05/13/2015 1000			
	SUSPECTED OF USING: [REDACTED]			
	CRIMINAL ACTIVITY: [REDACTED]			

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	REPORTING PARTY	M	W	[REDACTED]	[REDACTED]	[REDACTED]
	4901 OLD POST RD Apt. #B						
	CHARLESTOWN RI 02813						
	DOB: [REDACTED]						
	EMPLOYER: CHARLESTOWN POLICE	401 [REDACTED]					
	CONTACT INFORMATION:						
	Home Phone (Primary)	401 [REDACTED]					
	Work Phone (Primary)	401 [REDACTED]					

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	M	W	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.					
	ETHNICITY: NOT HISPANIC					

On Wednesday 5/13/15 at approx. 10:00hrs I, Detective [REDACTED], was driving through the neighborhood of [REDACTED] Dr. in Charlestown in my unmarked detective vehicle. While driving through the neighborhood I observed a marked Charlestown Police vehicle, Vehicle number [REDACTED] operated by Officer [REDACTED] pull on to Kendall Court and proceed to the end of the cul-de-sac. The Cul-de-sac at the end of [REDACTED] Court has no houses and it directly abuts [REDACTED] through the woods. I observed the Police vehicle pull to the end of the road 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 [REDACTED] and [REDACTED] Court. I believe the male to be [REDACTED], who resides at [REDACTED]. [REDACTED] approached the passenger side of the police vehicle. Officer [REDACTED] rolled the window down as [REDACTED] was walking up, as if he was expecting him. When [REDACTED] arrived at the Police car he reached through the passenger side window and a hand to hand exchange was conducted involving small items. After the transaction was complete [REDACTED] turned around and walked back toward the woods. [REDACTED] disappeared back in to the wood line toward [REDACTED] while Officer [REDACTED] rolled his window up and proceeded to drive off. The transaction took between 10-20 seconds.

I returned to the police station and performed a background check on all parties involved. I found that [REDACTED] is the wife of [REDACTED] and also resides at [REDACTED]. The Detective division of the Charlestown Police Department has received recent information as well as information in the past regarding [REDACTED] in use and the dealing of prescription medication. Based on the background of the parties I believed this hand to hand transaction to be extremely suspicious.

Charlestown Police Department  
NARRATIVE FOR CHIEF JEFFREY S ALLEN

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Ref: 15-1-IA

After a thorough review of this incident it was determined that the distance was too great for anyone to see exactly what if any type of transaction took place between Officer [REDACTED] and the other unknown party. A GSI map of the location was reviewed and from were Det. [REDACTED] was located and where Officer [REDACTED] was located. This distance was approximately 180 yards, which is too great of a distance to see much with the naked eye.

After this incident took place Officer [REDACTED] was arrested for domestic disorderly conduct by [REDACTED]. Officer [REDACTED] subsequently voluntarily went to [REDACTED] Hospital for a short time. Officer [REDACTED] blood was examined at the time of his admission to [REDACTED] Hospital and determined to have [REDACTED] in blood (refer to FFDE, Dr. [REDACTED]). His prescription of [REDACTED] is classified as an [REDACTED].

Officer [REDACTED] is prescribed [REDACTED] and it is quite possible that he overly self medicated on this prescription prior to his arrest, which resulted in his behavior on the night in question. In addition, it is quite possible that Officer [REDACTED] purchased [REDACTED] from the "street" to self medicate and it is quite possible that he was purchasing some medication from a person the day Det. [REDACTED] observed him talking with the unknown person on the day in question, however given the facts as provided there is no evidence to substantiate a drug transaction took place.

Since Officer [REDACTED] arrest and hospitalization he has received counseling as well as a Fitness For Duty Evaluation by Dr. [REDACTED] under my direction. Dr. [REDACTED] subsequently recommended that Officer [REDACTED] return to light duty for a period of three months with counseling and drug screens prior to returning at full duty status. Refer to 15-2-IA.

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





**Charlestown Police Department  
Investigative Report**

**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
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LOCATION TYPE: Residence/Home/Apt./Condo      Zone: West



1	DOMESTIC-DISORDERLY CONDUCT OCCURRED: 05/24/2015    2353	C	11-45	1/12-29-5
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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1		COMPLAINANT	F	W		NOT AVAIL	
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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1		M	W		NOT AVAIL	
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CONTACT INFORMATION:  
 Home Phone                      (Primary)     

BODY: NOT AVAIL.  
 DOB:   
 LICENSE NUMBER: NOT AVAIL.

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

Ref: 15-2-IA

On Monday [REDACTED] at approx. 8:30 am to inform me that Patrolman [REDACTED] was arrested by the Westerly Police Department sometime over the night for domestic disorderly conduct at his residence. Ptlm [REDACTED] lives in Westerly [REDACTED]. The lieutenant informed me that it was his understanding that Ptlm [REDACTED] cooperated with the police and was currently at the [REDACTED] Hospital for a phycological evaluation.

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

I called [REDACTED] at approx. 11:15 am to check on her well being. [REDACTED] proceeded to tell me what had happened. She said that [REDACTED] 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 [REDACTED] 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 [REDACTED] Hospital and met with Officer [REDACTED]. Officer [REDACTED] was sitting up on the gurney and was in good spirits. I asked [REDACTED] 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 [REDACTED] Hospital for an evaluation.

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

On May 27th [REDACTED] 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 [REDACTED] in the parking lot of the [REDACTED] to 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, [REDACTED] called me from [REDACTED] 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 [REDACTED]. I called [REDACTED] and at that time he was looking for some background information on [REDACTED]. I informed him what I knew of [REDACTED] from the short amount of time that I knew him. I provided him with his sister [REDACTED] number as well as his wife's number. I asked [REDACTED] if he was releasing [REDACTED] to return to duty without restrictions and he said that he was not going to do so until further out patient treatment.

Ref: 15-2-IA

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

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

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

On June 5th, I called Dr. [REDACTED] and informed him that Dr. [REDACTED] would be calling him to discuss [REDACTED] diagnosis. Dr. [REDACTED] informed me that [REDACTED] was released from [REDACTED] 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 [REDACTED] to full duty status at this time.

On June 5th, [REDACTED] 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 [REDACTED] Hospital.

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

On June 9th, I received a call from Dr. [REDACTED] who is a psychiatrist at [REDACTED] working in the integrated partial program. Dr. [REDACTED] is now [REDACTED] attending physician. Dr. [REDACTED] said that [REDACTED] will be released from the Partial Program on Wednesday June 10, 2015. She stated that she is not clearing [REDACTED] to return to full duty as a police officer at this time. I mentioned to her that I would like [REDACTED] to release his medical records to Dr. [REDACTED] upon completion of his out patient program at [REDACTED] so that she can meet with him in order to determine if and when he will be fit to return to duty.

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

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

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

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

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

Ref: 15-2-IA

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

On June 17th, I met with Officer [REDACTED] 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 [REDACTED] medical records from [REDACTED] Hospital. I called Dr. [REDACTED] 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 [REDACTED].

On June 29th, I called Dr. [REDACTED] to see if she received the medical records. She informed me that she only received have of the records. According to Dr. [REDACTED] 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 [REDACTED] 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 Officer [REDACTED] 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. [REDACTED] an email asking if she received the remainder to Officer [REDACTED] 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. [REDACTED] sent me an email stating that she has not received any additional medical records. I left Officer [REDACTED] an 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. [REDACTED] left me a message that she has not received additional records. I called [REDACTED] 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 [REDACTED] filled out on June 30th, which had Dr. [REDACTED] name and address on it. I received a call back from [REDACTED] 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. [REDACTED] and I set up an appointment for Officer [REDACTED] interview with her on July 22nd at 9:00 am in Providence. I called and informed Officer [REDACTED].

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

On July 13th, I reserved a conference room at the [REDACTED] in Providence for Dr. [REDACTED] interview with [REDACTED].

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On July 13th, I sent both Dr. [REDACTED] and [REDACTED] emails confirming the interview date, time and location. Dr. [REDACTED] 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 [REDACTED] at 7:57 am asking that I call her. I returned her call at 8:31 am, but after she said "hello" the call was dropped. I then received a call from [REDACTED] at 8:37 am. I asked him what was going on and he said everything was fine and that [REDACTED] needs help. He then put a friend of [REDACTED] on the line who has been staying with them. The friend identified herself as [REDACTED]. I asked [REDACTED] what was going on at the house and if there was a problem. [REDACTED] stated that everything was fine. [REDACTED] got back on the phone and said that [REDACTED] 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. [REDACTED] on July 22nd at 9:00 am at [REDACTED] Providence. While on the phone with [REDACTED] called me back. I missed the call so I returned her call once off of the phone with [REDACTED]. [REDACTED] stated that last night [REDACTED] 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. [REDACTED] then put [REDACTED] back on the phone. I asked [REDACTED] again what was going on at the house. She replied that there was no domestic violence but that she thought [REDACTED] has been "acting mean" towards [REDACTED] lately. 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 [REDACTED] if she believed in any way there was something happening that needed police attention.

On July 14th, I called [REDACTED] Medical Records and spoke to [REDACTED]. I asked [REDACTED] if she mailed out the records to Dr. [REDACTED] and she confirmed that she did.

On July 17th, I received an email from Dr. [REDACTED] stating that she received the remainder of the medical records.

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

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

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

On July 22nd, Officer [REDACTED] called to let me know that he met with Dr. [REDACTED] for the FFDE. Dr. [REDACTED] 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. [REDACTED] 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. [REDACTED] sent an email stating she still was waiting for medical records. I contacted [REDACTED] 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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backed-up.

On August 18th, I emailed Dr. [REDACTED] looking to get an ETA on her final report.

On August 19th, I received an email from Dr. [REDACTED] saying that she has testing report but no treatment notes. Not knowing exactly what this meant I sent her a return email asking "are you referring to his [REDACTED] Dr.? I asked this because in one of our conversations she said that she was waiting to get report from Officer [REDACTED] doctor who prescribed him [REDACTED]"

On August 31st., I received the FFDE electronically from Dr. [REDACTED]. The recommendation consisted of a three (3) months of light duty in conjunction with counseling and drug and alcohol screens. I sent Town Administrator [REDACTED] and Town Solicitor [REDACTED] an email stating the same. I also followed up with a telephone call to Attorney [REDACTED] and advised the town administrator's secretary about the report because he was unavailable. In addition, I left Officer [REDACTED] a message on this cell phone letting him know that I received the report.

On September 1st, Officer [REDACTED] returned my call. At that time I informed him that I received the FFDE from Dr. [REDACTED] and that she had a list of recommendations that needed to be followed prior to the department considering his return to full duty status. At this time I informed him that Dr. [REDACTED] wanted him to participate in three (3) months of light duty. I asked him if he was willing follow a strict set of requirements as set forth by Dr. [REDACTED] to include three (3) months of light duty. At that time Officer [REDACTED] said that he would and that he was eager to return to work. We may plans at that time to meet on September 2nd at 9:00 am at the Westerly/Charlestown town line in order to provide him with a copy of Dr. [REDACTED] report (draft).

On September 2nd, I met with Officer [REDACTED] and provided him with a copy of Dr. [REDACTED] Draft Report. I also gave him a memorandum that outlined his responsibilities which he signed agreeing to adhere to all of Dr. [REDACTED] recommendations.

On September 8th, Dr. [REDACTED] called stating that she was going to send me the final report via email.

On September 8th, Officer [REDACTED] was scheduled to return to work on a 5/2 Light Duty schedule under the supervision of Lt. Paliotta. Officer [REDACTED] took a personal day on this day to attend Family Court for an issue involving his daughter.

On September 9th, Officer [REDACTED] reported for duty and reported to Lt. Paliotta.

Officer [REDACTED] will be disciplined for bringing discredit to the department when he was arrested by [REDACTED]. This discipline will be forthcoming.

Officer [REDACTED] will be completing his three months of Light Duty as of December 8, 2015. During the past three months Officer [REDACTED] has been supervised and monitored by Lt. Paliotta. I have also been in nearly daily contact with Ptlm [REDACTED] throughout the work week. During the past three months [REDACTED] has been meeting with counselors and has been performing weekly drug and alcohol screens. According to [REDACTED] from the employees assistance program (EAP) [REDACTED] has been meeting with his counselors and all of his drug screens have been negative. During the past three months Officer [REDACTED] has been very helpful and has worked at every task that has been given to him by Lt. Paliotta and me. [REDACTED] has been nothing short of a good employee who is willing to

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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 [REDACTED] has conformed to Dr. [REDACTED] recommendations and therefore I am allowing him to return to full duty status. He will continue to seek counseling, which will be monitored by [REDACTED] of the (EAP).

On December 1, 2015, I received a bill from [REDACTED] Medicine, LLC for eleven (11) random urine screens that Officer [REDACTED] 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 [REDACTED] 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 [REDACTED] 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 [REDACTED].

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

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



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NARRATIVE FOR LIEUTENANT MICHAEL J PALIOTTA

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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. [REDACTED]) I was informed that [REDACTED] called about 0630 hrs on May 25th to ask to speak to a supervisor. CPD dispatcher stated non were available, at that time the [REDACTED] informed Disp. [REDACTED] that Ptlm. [REDACTED] would not be able to attend work today and was calling out sick leave.

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

I asked [REDACTED] to forward me the police report (15 [REDACTED] AR) which he did by email. The report indicates that Ptlm. [REDACTED] returned home to [REDACTED] Westerly, RI 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 [REDACTED] and then went into a back office in the house and damaged some personal property. Thereafter, [REDACTED] contacted [REDACTED] who arrived and found [REDACTED] experiencing what appeared to be a psychological emergency and stree related breakdown. They took him into custody and transported him to [REDACTED] Hospital for evaluation. [REDACTED] supervisors decided to charge [REDACTED] with Domestic Disorderly Conduct.

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

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 lock off Ptlm. [REDACTED] locker and took possession of two department issued Glock pistols (G22 and G27) and 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 [REDACTED] an email explaining the department would purchase a new lock for his locker.

[REDACTED] will be admitted to [REDACTED] Hospital from [REDACTED] hospital 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 and presented to [REDACTED] The letter places him on paid administrative leave until the criminal case is resolved 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 addition documents from Capt. [REDACTED] pertaining to the arrest of [REDACTED] I placed a signed copy of the No Contact Order restricting [REDACTED] from contact with [REDACTED] and a copy of the DVSA-1 form into the IA folder.