



City of East Providence

OFFICE OF CITY SOLICITOR

CITY HALL

145 TAUNTON AVENUE

EAST PROVIDENCE, RHODE ISLAND 02914-4505

TEL (401) 435-7523

FAX (401) 438-1719

March 14, 2016

Steven Thomson
aprawatch@yahoo.com

Subject: APRA REQUEST – City of East Providence

Dear Mr. Thomson:

I write in response to your letter dated February 11, 2016, in which you make a records request pursuant to the Access to Public Record Act ("APRA"), R.I.G.L. §38-2-2, et seq. In response, I have enclosed copies of the documents requested.

Be advised that the "preliminary drafts, notes, impressions, memoranda, working papers, and work products..." are not public records under APRA, and therefore such records, if any, have been omitted from the instant production of documents.¹ (No documents have been omitted)

In addition, please be advised that in response to your request, we have determined that there is an approximate cost in the amount of \$41.25 (\$11.25 for copies and \$30.00 for search and retrieval) which is due and payable at this time. Upon receipt of these records, please forward a check in the amount of \$41.25 made payable to the City of East Providence to the attention of the Law Department.

¹ See R.I.G.L. §38-2-2(4)(K).



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Also, please be advised that in accordance with RIGL §38-2-7² you have the right to appeal this response if you feel we have not complied.

Sincerely,

Gregory S. Dias
Assistant City Solicitor

GSD:mfa
Enclosures

² R.I. Gen. Laws § 38-2-7. Denial of access

(a) Any denial of the right to inspect or copy records provided for under this chapter shall be made to the person or entity requesting the right by the public body official who has custody or control of the public record in writing giving the specific reasons for the denial within ten (10) business days of the request and indicating the procedures for appealing the denial. Except for good cause shown, any reason not specifically set forth in the denial shall be deemed waived by the public body.

(b) Failure to comply with a request to inspect or copy the public record within the ten (10) business day period shall be deemed to be a denial. Except that for good cause, this limit may be extended for a period not to exceed thirty (30) business days

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Case #: 15-17-IA

#	PERSON (S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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#	OFFICER (S)	SEX	RACE	AGE	SSN	PHONE
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CONTACT INFORMATION:

HEIGHT:
BODY:
DOB: _____
LICENSE NUMBER: _____

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS:

MOTHER'S NAME:

EMPLOYER/SCHOOL:

OCCUPATION:

Ref: 15-17-IA

Entered: 09/25/2015 @ 1327
Modified: 09/25/2015 @ 1329

Entry ID: 8566
Modified ID: 8566

OFFICER WITNESS STATEMENT

On 9-15-15 Lt. Fournier assigned an investigation to me involving allegations of unprofessional conduct by [redacted] which occurred on 9-14-15. He provided an Officer Report to me prepared on 9-14-15 which describes the incident.

I obtained a copy of the Detail Traveler dated 9-14-15 which shows that [redacted] worked for the [redacted] between 07:00 and 15:00 and [redacted] worked for the [redacted] between 11:00 and 16:00 in Rumford.

[redacted] Officer Report mentions that he worked for [redacted] on 9-14-15 beginning at 11:00. He states "the crew continuously remarked on how 'disgusting' [redacted] (also working for [redacted]) observed it to be [redacted]. The crew laughed and quoted about how she would talk about 'sucking dick' and how her boyfriend was out last night until 5am last night under the influence of 'Molly' which is the street name used for MDMA. One of the workers was disgusted because [redacted] kept 'hitting on him' and the other workers were making fun of him."

The Report goes on to mention that at about 14:40 [redacted] crew finished their task where he was and then moved their location to where [redacted] crew was. He states [redacted] was utilizing a marked East Providence Police cruiser despite there being several Traffic Control vehicles in the rear lot when I came in at 1040 hrs." At that point [redacted] and [redacted] were working in the same location, and "the head Engineer" told [redacted] that only one officer would be needed and "to work that out with [redacted]"

[redacted] "advised [redacted] that she could leave and I would finish. [redacted] stated that she had been there since 0700 and that she would be staying. I advised [redacted] that I am also working with the same company and she again stated that she wanted to stay. [redacted] then asked 'why do you get to stay? I have been doing this 15 years and I have never had someone kick me off.' I then tried to explain that I was not kicking her off. [redacted] did not seem to understand and again asked 'well I don't know why it would work like that I am here too.' To avoid conflict I then asked her if she would like me to call [redacted] which was later determined to be [redacted] and she stated yes. I then called [redacted] who reassured me that since I am [redacted] I would have the choice of staying over at [redacted]. I then told [redacted] who was not satisfied and she then spoke with [redacted] on the phone for several minutes away from me. [redacted] returned my phone and went and spoke to the Engineer again. I could not hear what was said but she was waving her arms to the Engineer and the crew. [redacted] eventually left the detail.

I then walked back and spoke to the crew who were now all together (the crew [redacted] was with, and the crew I was with). One of the laborers in [redacted] original crew then...asked me how [redacted] got hired. The engineer then began asking me about how she is able to [redacted]. The whole crew began talking about the comments made by [redacted] reiterating what was stated earlier in this report. Also mentioned was how after last night's incident with her boyfriend, [redacted] allegedly stated 'I'm going out and getting fucked tonight.'

I was thoroughly embarrassed today to be on the same construction site as [redacted] and I am embarrassed that she is driving behind the wheel of an East Providence Police cruiser. Her behavior when representing the City of East Providence and particularly our Police Department was unacceptable. After what I saw and heard today I do not feel that [redacted] should be allowed to represent the department."

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-17-IA

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On 9-16-15 at about 11:50 I met with _____, while he and his crew worked on _____, I told him I was looking into the actions of _____ on 9-14-15.

I told me he was back and forth between both work crews in Rumford on 9-14-15. He said the first detail officer arrived _____) and _____ I told him what the two crews would be doing for the day. _____ I chose to work with a crew that was working on _____ I arrived between "ten and fifteen minutes late" and worked with a crew that was near the _____.

_____ said _____ was "all upset" because her boyfriend was out all night and she and her boyfriend were supposed to do something the night before. She told the workers that when she called her boyfriend the night before she could hear techno music in the background and that her boyfriend told her he was sick so they couldn't get together. _____ I said "talked about it all day." At some point during the day he saw _____ I "blow a kiss to a guy we were working with." He also said that _____ I was "upset" that she had to leave the detail before the other officer. _____ told me he didn't hear anything else inappropriate from _____, but added that she was with another crew all day, and he wasn't with _____ crew at all times. He phoned the man in charge of the crew _____ I worked with and had me speak with him.

The man I _____ phoned was _____, I told _____ that I was looking into a report that _____ was inappropriate with her interactions with members of his company on 9-14-15 and he immediately told me he did not me to speak to his employees "because, honestly, they may have been a little inappropriate with what they were talking about with the Traffic Officer."

_____ told me _____ did tell him and his workers that she had broken up with her boyfriend, but her actions and interactions with his employees "were no big deal." He said _____ was not happy about being sent home when she was, and that he told her "she was low man on the totem pole since she is only a traffic person and not a police officer."

Neither _____ would confirm the language used by _____ as described by _____ though it seemed to me like they had more to say about his issue than they felt comfortable telling me. I asked both men if they felt comfortable having _____ working for them again in the future, both said they would have no reservations about her returning to work for them.

_____ was scheduled for an interview for Monday 9-21-15 but rescheduled the interview for 9-22-15. When she arrived I told her about the complaint concerning her actions and professionalism while working the _____ detail on 9-14-15.

_____ described to Lt. Fournier and me the circumstances surrounding her being dismissed from detail at 15:00 on 9-14-15. She said she "didn't think it was the right thing to do" when _____ "bumped" her from the last hour of the detail. _____ felt that she should have been able to stay the last hour of the detail since she had been there all day. It is my opinion that _____ feels that she has earned some type of "seniority" based on her years of service as a Traffic Officer. Also, _____ told us that she may have cursed out loud about being relieved at that end of her detail, saying she "...didn't swear at anyone, just in general." She said she may have said "What the fuck" when she had to leave. This statement is not included in her signed statement.

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When asked if she took part in any inappropriate conversation with any of the workers, [redacted] said she was not part of any such conversation. She said there was some discussion with one of the workers about the worker's wife not wanting to put certain types of undergarments in the clothes dryer. [redacted] told the worker that she also does not put "certain types" of underwear in the dryer. [redacted] denied taking part in any type of flirtatious activity with any of the workers.

She did mention a scenario where someone she knows as "Geese" was driving a truck out of a parking lot near the detail location. [redacted] had words with "Geese" because he is friends with her ex-boyfriend (or current boyfriend), and because "Geese" was in a club with the ex-boyfriend on Saturday night. She told "Geese" "Screw you" and he had words with her as he drove off, [redacted] said she swore at him in response to what he said to her. She told Lt. Fournier and me that she told "Geese" to "Fuck off" but in her statement she only specified that she swore at him. Also, she said the comments she directed at "Geese" were heard by an inspector named [redacted], but [redacted] was cool with it."

[redacted] said she has conversations with [redacted] while working the [redacted] details and that [redacted] has often told her "If only I was 29 and single again." She said he has brought her lunch before and that they have been friendly with each other whenever she works for [redacted]

[redacted] said that she did speak with several workers during the detail about the problems she has had with her current or ex-boyfriend, [redacted]. She told the workers that on the previous Saturday night she and [redacted] spoke on the phone and she could tell he was at a club called Therapy. She said she confronted [redacted] there because she knew he was taking "Molly." [redacted] went on to describe to Lt. Fournier and me the many problems she has had with [redacted] in their eleven year relationship. She said she did mention these issues with workers at the detail that day.

During the interview, Lt. Fournier and I tried again to explain to [redacted] what is expected of her while she works for the city on details. We again made it clear to her that while she is on a detail, her actions are a reflection of the city, the police department, and of herself. We also explained to her that even if workers are speaking to her about certain topics, topics which may be initiated by the workers, she is to hold herself to a professional standard which, at times, will be high than that of the workers on the detail. We told her she must be constantly aware of this. She was apologetic (and often cried during the interview) and said she understood.

On 9-24-15 at 08:50 I met with [redacted] the engineer assigned to supervise the work performed by the [redacted] I told him that I was investigating a report that [redacted] was unprofessional and or inappropriate while working a detail with [redacted] on 9-14-15.

[redacted] told me he was assigned to the [redacted] on 9-14-15 and spend most of his time with the crew that was assigned to. He said she clearly did not understand that a police officer could replace her on her detail, and he said he also wasn't sure of how that system works. [redacted] said [redacted] was not happy about being told to leave at the end of the day, but that she was not inappropriate and he did not hear her curse or carry on before leaving.

When asked if he heard her engage in inappropriate conversations with the crew that day, [redacted] said "Well it's a group of construction workers. There was a lot of stuff being talked about back and forth by both sides, but no one was offended or upset." He told me he didn't recall specific topics of conversation, but said that none of the language or topics were offensive. [redacted] said he remembered that [redacted] was upset with her boyfriend that day and that a friend of her boyfriend stopped by in a truck, and [redacted] was mad at that friend because of something he and the boyfriend did a couple of days prior. I asked him if heard [redacted] yell or curse at the person in the truck and he said he did not.

[redacted] further said, "Look, I'm not trying to stick up for her if she did something wrong, and I'm not trying to get her

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in trouble. All I know is she does do her job and she isn't going to get anyone hurt when she is out here."

Conclusion:

It is clear that [redacted] was not happy about being sent home an hour early from the detail, and it appears that she may be aware that a police officer can dismiss her from a detail, though, according to her statement, she "didn't think it was right." During the interview with [redacted], Lt. Fournier and I reminded her or at least advised her that she may be dismissed or "bumped" from a detail or sent home early by a police officer at any time and that she has no recourse.

[redacted] stated during her interview that she may have cursed loud enough for people to hear her before leaving the detail, but this investigation did not reveal anyone who was offended by this. Also, [redacted] Officer Report states that one or more of the workers for [redacted] commented about offensive topics she talked about during her detail. [redacted] and [redacted] both confirmed that inappropriate topics of conversation were talked about among [redacted] and the crew members, though neither wanted to go into specifics about what was said.

The interaction with "Geese" and conversation about under garments that [redacted] spoke to us about during the interview do, in my opinion, reach the level of unprofessional behavior.

In addition to reminding / advising [redacted] that a regular officer can "bump" a Traffic Officer, Lt. Fournier and I reminded her what is expected of her while she is performing her duties. We made it clear that despite what the crew members on a detail are talking about or how they are acting, she is to remain professional at all times. We reminded her not to engage in inappropriate topics of discussion while on a detail, not to discuss her personal life to such a degree that it reflects poorly on her, and to use only professional language at all times.

After consultation with [redacted] on 9-25-15 it was determined that [redacted] conduct while working on a detail on 9-14-15 was inappropriate, unprofessional, and reflects poorly on [redacted] and the East Providence Police Department. Though this type of interaction may be acceptable to [redacted], it puts other female officers, traffic officers, and crossing guards at risk of experiencing similar work environments from crew members at details.

This is not the first time that [redacted] has been investigated for unprofessional conduct while working for the City of East Providence, and this is not the first time that such behavior has been confirmed through investigation.

Chief Parella has ordered that [redacted] be suspended indefinitely from working details and school crossings. He has ordered Lt. Fournier and me to make notification to [redacted] retrieve her police cruiser keys and any keys to headquarters that she may have, and to advise her to not call the police station for any reason related to this investigation. He has also ordered us to notify pertinent police personnel about the resolution to this investigation.

Sgt. Bruce W. Atwell

East Providence Police Department

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Investigative Report**

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Case #: 15-18-IA

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
2	750 WATERMAN AVE EAST PROVIDENCE RT 02914 DOB: _____ EMPLOYER: EAST PROVIDENCE POLICE · 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) Work Phone (Primary) 401-435-7600	WITNESS					
3	DOB: _____ EMPLOYER: _____ CONTACT INFORMATION: Home Phone (Primary) Home Phone _____ Work Phone (Primary)	WITNESS					
4	750 WATERMAN AVE DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE	WITNESS				00	
5	DOB: 03/03/1980 CONTACT INFORMATION: Home Phone (Primary)	OTHER					

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	CONTACT INFORMATION: Home Phone (Primary) BODY: NOT AVAIL. DOB: NOT AVAIL LICENSE NUMBER: NOT AVAIL.				00	
	COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC					

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-18-IA

Entered: 11/23/2015 @ 1141 Entry ID: 8566
 Modified: 11/23/2015 @ 1145 Modified ID: 8566

OFFICER WITNESS STATEMENT

On 11-6-15: [redacted] called my cell phone to talk to me about an incident that came to his attention. He said that [redacted] told him about comments made on while duty by [redacted] in the presence of [redacted] and off duty [redacted]. These comments were about [redacted] and were allegedly sexual in nature.

All of the above named officers were police academy classmates. It is alleged that [redacted] had met up somewhere in East Providence, Ptl. [redacted] was on his way home to [redacted] when he met the other officers. [redacted] told me that [redacted] was unsure what she wanted to do about the comments made by [redacted]. I advised [redacted] that regardless of what [redacted] wanted to do about the allegations, that he [redacted] should prepare an Officer Report documenting the incident. He assured me that he would.

On 11-10-15 I was assigned 15-18-IA by Lt. Fournier. The case involves possible Harassment in the Workplace Conduct Unbecoming, and a collateral incident of a violation of our Civility policy that was exposed during the investigation.

Officer Report by: [redacted] **dated 11-6-15:**

[redacted] states that he was approached by [redacted] on 11-5-15 about comments made by [redacted] in the presence of [redacted] and an officer from [redacted]. She told the sergeant that the comments were "Messed up" but that she wanted to handle the situation herself at that time. [redacted] did not tell the sergeant what the comments were. [redacted] told her that if she was uncomfortable or wanted him to handle the situation, he would. [redacted] told him "that was fine but she would handle it."

On 11-6-15 prior to roll call, [redacted] approached [redacted] and asked him to "handle the situation because she was uncomfortable with what Officer [redacted] said and she did not want to get into a confrontation with Officer [redacted]. At that point, Officer [redacted] informed me, that she was told that Officer [redacted] and Officer [redacted] had met up with a [redacted] Officer [redacted], who had gone to the academy with [redacted]. Officer [redacted] was on his way home from work and stopped to speak with them. During the conversation, at some point Officer [redacted] name came up. Officer [redacted] told me that she was told that Officer [redacted] said what he would do to her sexually using the words 'Hate fuck' as well as other sexually explicit things. Officer [redacted] said that [redacted] said these things while on duty in the presence of Officer [redacted] who in turn informed Officer [redacted].

I told Officer [redacted] that I would be doing an Officer's Report, asking for an investigation into this situation, due to the nature of the comments.

I had a brief conversation with Officer [redacted]. Officer [redacted] confirmed what Officer [redacted] had said.

I feel that Officer [redacted] comments about Officer [redacted] are in violation of the department's 'Harassment in the Workplace' policy, specifically section 1.3 A., which states 'Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national or sexual

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orientation either directly or indirectly to another person.”

Officer Report by _____ dated 11-9-15:

“On Monday November 9, 2015, after the midnight roll call, I met with Officer _____ in the OIC's office. In the presence of Lt. _____ I asked Officer _____ if he had a problem working with Officer _____ Officer _____ informed me that he had no problem working with Officer _____ I also asked if he could work with Officer _____ on a strictly professional basis. Officer _____ stated he could work with Officer _____ on a professional basis. I then informed Officer _____ that he is not to speak with Officer _____ on a personal basis and if he does work with her, he is to keep his conversations with her professional. Officer _____ stated to me that he understood.”

Statement:

One night last tour I worked overtime in Rumford. I was on post 5 and _____ was on post 8. He had a car stop in front of the McDonalds on Newport Ave. and when I was driving to back him up I noticed an SUV with it's lights on near the Honey Dew. During the stop _____ told me that the truck was one of the guys we went to the academy with. His name is _____ After the car stop went over to talk with him, I stopped by there too.

_____ and _____ were out of their cars, I pulled up but stayed in my car. _____ was talking to _____ about the job, talking about charges and arrests he has had, which in my opinion, were exaggerated or completely made up. He told _____ that one night when it was raining, one of his sergeants told him not to do anything. _____ also said that he has made stuff up in order to stop cars before.

_____ asked _____ if he still talks to _____ and _____ had talked to each other a couple times in the past and they may have hung out. _____ said that he would never "fuck" her, and then he said maybe a "hate fuck" and he said "I wouldn't fuck her in the pussy, I would only fuck her in the mouth and the ass." _____ heard this and looked into my car, and said, "Can you believe this guy?" I just shook my head because I was shocked. I left shortly after that.

After I left I called _____ to vent about the situation, about what he said about _____ and about the job. The next day in the locker room, before our 4 to 12 shift, I wanted to talk to _____ about it, because we all went to the academy together, we are all familiar with each other. I explained to her what he said about the job, and then told her, word for word, what he said about her. _____ was definitely surprised, she shook her head and became quiet. She was definitely upset.

The motor vehicle stop that _____ references took place 11-5-15 at 00:48 hours.

Statement:

Last week, during my day 1, I was in the woman's locker room getting ready. _____ came in and she was talking about how she worked overtime the night before and she was post partners with _____ They were on a car stop together and they had cleared the car stop, she said _____ who is on _____ had stopped by on his way home from work to say "hi" and catch up with them. I could tell that while she was telling me this, something was bothering her. She said she had something to tell me. She was like "don't get mad or upset" but she explained to me that _____ had asked _____ if he had talked to me lately. _____ said he hadn't talked to me in a while. That's when _____ went on a rant, saying how he wouldn't Fuck me, that he would only fuck me in the

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ass, and that it would be a "Hate Fuck" because I'm disgusting to him.
said he was also saying that he was told by his sergeant that when it's raining he doesn't have to do anything. He told that he arrested some stripper for Schedule 1 to 5, but she really had only one pill, that he lies about pulling cars over. I think said that asked him what he meant about lying about pulling over cars, and said, "You know, you saw the car swerving" kind of quote, unquote.

When I heard what said about me, I was very angry. Even though and I had a little disagreement about how he behaves and the words he chooses to use in his off time, we've been fine. During the academy we had a disagreement about using the "N" word in my presence. He originally tried to play it off as a joke, saying that he was referring to a guy in a picture that uses the "N" word as a nickname. I expressed to him then that I didn't think it was funny or appropriate. Since then we've been fine.

I've always been straight forward with him, I've come in for him before so he wouldn't get stuck for overtime. When told me he said all this about me, obviously it made me mad, but it hurt my feelings to some extent. I mentioned this to Sgt. , and I talked to about it, because she is one of my close friends. She wasn't surprised at all. I explained to Sgt. that I want to go to midnights when we do the switch, but I don't feel comfortable working next to I if that's the things he said about me.

I pray that I'm never post partner. I feel that he is going to jam someone up, and that he is incapable of telling the truth.

Statement:

Earlier today Sgt. Atwell called me and asked me to meet with him at the East Providence Police Internal Affairs office to talk with him. When I got there at 13:00 Sgt. Atwell was there with Lt. Fournier. I had a feeling they wanted to talk to me about Officer

Last Thursday at about 1:00 am I was off duty, on my way home from a friend's house and I saw an East Providence police car on a car stop on Newport Ave. I noticed that the officer was

I went to the academy with him and said "hi" to him. He told me he was almost done with the car stop and he told me to wait for him in the parking lot near McDonalds.

pulled in and right after that pulled in too. I went to the academy with her also. We were talking in the parking lot, just catching up. At some point I asked me if I still talk to , I told him "not as much, she has a new boyfriend now." He said, "I would hate fuck her." I took the comment as a joke, at the time it didn't seem like took offense to it. After that we talked for a little while longer, left.

Later that day texted me "Oh, I'm just a hate fuck now?" I came back with "don't make this a big thing." She texted something like "I got something coming to him in roll call." I responded something like, "It is what it is, he shouldn't have said it, but don't bring it up (or don't embarrass him) in front of everyone." I was trying to calm her down, trying to diffuse the situation and keep her from getting more upset than she already was. She responded "We'll see."

A couple of days later texted me and said he was asked by an OIC if he has a problem working professionally with . It was right before his shift. I put two and two together and knew it was about the "Hate Fuck" comment.

It should be noted that when asked if mentioned his arrests, car stops, probable cause he uses to stop cars, etc., said none of those topics came up during this conversation with was not very forthcoming with answers or information during the interview. He did

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say that he is "very good friends" with [

Statement:

This morning I met with Sergeant Atwell and Lieutenant Fournier at the OPS at about 5:45. Sgt. Atwell had sent me an email Friday asking me to meet with them this morning. When I arrived Sgt. Atwell asked me about an incident involving [] and []

A week or two ago [] was on post five and [] was on post 8. They met with [] somewhere in a parking lot, [] went to the academy with us. [] was telling all about his "big" arrests in East Providence, and then all out of the blue he started talking about [] in an extremely inappropriate way. [] said how he would never want to have sex with [] unless it was in her ass, because that's all that she deserves. They parted their ways and probably the next day [] said something to [] about it.

[] told me about it and said she was going to say something to []. She was very upset about it, I'm good friends with her and she was upset. She must have said something in roll call or was visibly upset and the sergeant noticed it. Sgt. [] asked what was wrong, I think [] may have either told him what was said or that something had been said. She must have told him what was said, because it made it to OPS.

[] and [] don't really cross paths. When we were in the academy we were at [] house, one of our academy mates. [] was referring to a bouncer at a bar, and referred to him as Little Nig, he did that like ten times. [] was drinking, [] told him to stop using the term, and then she elevated her voice and told him to stop again. [] apologized for it. I think their relationship is very distant, they don't usually work together. A lot of times [] will take a post next to [] so [] doesn't have to work with him.

[] told me that when she was talking with [] and [], [] was talking about the stripper he arrested, and how he lies to stop cars, the probable cause, and what he puts in reports. One time about two months ago, I backed him on a car stop on Roger Williams and Nevada, and it was around 3:30. Post 5, 3, and 2 were all on shift change. He stopped the car, he called a code 75 and got them out of the car. There was a girl passenger and she told me she didn't know why they were being stopped. I asked her if she wanted me to ask him, and she said no. [] told me he smelled marijuana, when I went up to the car I didn't smell anything. [] didn't tell me why he stopped them until I asked later when they left. He told me it was because of the rear plate light was out. When the car pulled off it was fully working. [] told me he knew the driver and he knew he was a drug person and he thought there might be something in the car. He didn't find anything in the car when he searched it. [] wrote the driver a five day tag for the plate light. I told him that he shouldn't have stopped the car during shift change, and he ignored me and then said, "Fuck you, you're not my supervisor."

Last week I was working the midnight shift and I was with a prisoner at the hospital. I got out at 8:00 am and then came back at 8:00 pm. The prisoner was still at the hospital, she had broken rib and a dislocated foot because of an accident she had been in the day before. Her last name was []. She said that as soon as [] got to the hospital to watch her that day he was all

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-18-IA

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... pissed off and was missing out on the bank robbery because he had to sit with her. She said he kept calling her a junky, and when she told him he had to go to the bathroom he threw a bed pan at her and told her to "use the fucking bedpan." She was very upset about it. She told me she was going to make a complaint, she was very adamant about it. She knew who the officer was, she knew his first name and she described him to a "T," saying he had a

No one wants to be post partners with him. For me it's safety and I don't like the way he acts toward people. He acts differently in front of sergeants, but he's rude and disrespectful when he isn't in front of supervisors. He will only listen to sergeant. No one wants to work next to him. I'm surprised no one has made a complaint about him. I'm concerned that if I ever have to do a supplement on one of his arrests, they're not going to match. I think something in his report would be fabricated. It wouldn't surprise me if he used the "N" word while he's working based on the incident he had with _____ during the academy.

About a week ago _____ texted me and asked me if I knew anything about _____ making a complaint. I told him I didn't know anything. He probably thinks that if Sgt. Atwell and Lt. Fournier talk to _____ will cover for him.

I find the fact that _____ mentions she thinks that _____ probably thinks that Ptl. _____ would "cover" for him telling, especially based on the way _____ answered questions during his interview.

On 09-24-15 at 00:31 I _____ conducted a vehicle stop on Nevada Ave. at Roger Williams Ave. The vehicle was a 1996 Acura, color white, operated by _____. The call screen indicates that a citation was issued and a Code 75 was performed. The officer that provided back up for that stop was _____.

I responded to _____ address, _____, RI and spoke with a male named Mr. _____ told me he is "practically _____ step dad" and that _____ had not been home for two weeks. I left _____ my business card with my phone number on it and I asked that he have _____ call me when he gets home. At this time, the Acura's registration is suspended for Failure to Comply with Notice and Demand. The Acura was parked in the driveway of _____ house when I spoke with _____.

_____ was arrested on a warrant on 11-09-15 after being involved in a motor vehicle accident on route 195. State Police wrote the accident, Ptl. _____ and Ptlwn. _____ processed _____ at our station. She was later brought to RI Hospital for treatment for injuries she sustained in the accident. On 11-10-15 at 06:55 Ptl. _____ went out of service at the hospital to maintain custody of _____. He remained there until 11:34 that same day. During this time frame (09:51) Ptl. _____ conducted a vehicle stop and later arrested the occupants of that vehicle for committing a bank robbery in Seekonk, MA.

I spoke with _____ on the phone at 09:00 on 11-17-15 and arranged to meet with _____ at OPS at 13:00 that same day. She told me during this conversation that she believed the officer who mistreated her was named "_____" and that he repeatedly called her a "junky" and would not allow her to phone her child to check on him. She told me she would meet me at OPS at 13:00.

In preparation for this meeting, I planned on putting a photo array together so that _____ could view the array in order to identify the officer she was referring to. I learned that no officer photos have been entered into IMC for several years. I spoke with several supervisors and with Det. Cpl. _____.

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Sgt. [redacted] and I learned that at that time, only IT had the ability to enter the officer photos into IMC. [redacted] was given the "rights" to enter the photos on 11-17-15 and entered officer photos into IMC from Ptl. [redacted] up to the most current group off officers.

As of 13:11 on 11-16-15 [redacted] had not arrived at OPS. I called her and she said she was at her lawyer's office in Fall River and could meet me at 15:00. She then said she would respond to OPS immediately. At 14:19 I called her again and she told me that she was in Swansea, that someone else was driving her, and that she could meet with me sometime tomorrow. I called her again on 11-17-15 at 08:20 and she told me she had just dropped her son off to school and needed to lay down to rest, she told me she would call me later in the day to arrange to meet with me. She did not call.

On 11-18-15 at about 10:00 I met with [redacted] at her home. She told me that all of the officers, except one, were professional with her. She said the officer with the [redacted] treated her poorly, referred to her as a junkie several times, had a bad attitude, and wouldn't let her go to the ladies room to relieve herself. He said to staff members, "Get her a fucking bedpan." I advised [redacted] of the importance of her meeting me at OPS and she assured me she would be there by 14:00. I spoke to her by phone at 14:30 and she told me she was still at her lawyer's office in reference to the accident she was involved in. She told me I could pick her up at her home on 11-19-15 at 08:30.

On 11-19-15 Lt. Fournier and I responded to [redacted] address at 08:45. There was no answer at the door and when I called her cell phone the call went to voice mail, the mail box was full and I could not leave a message.

We also responded to [redacted] address and looked at the Acura he was stopped in on 9-24-15. There was no plate light or plate light wire assemble anywhere near the rear plate area. I again spoke with [redacted] and he again told me that the family has not heard from [redacted].

On 11-23-15 at 05:50 Ptl. [redacted] arrived at the OPS without representation. He said he did not bring a representative because he is not in the union. He signed the appropriate rights and notifications forms and then offered the above statement. He admitted telling [redacted] that he would "Hate fuck" Ptlwn. [redacted], admitted having a discussion with her about his use of the term "nigger" and he denied fabricating reasons to initiate car stops. He also denied calling [redacted] a "junkie."

Statement:

Q. Do you remember having a conversation with [redacted] and Ptlwn. [redacted] after a car stop on Newport Ave. on or about 11-4-15?

A. Yes sir.

Q. Do you remember the content of the conversation?

A. Just talking about the different officers that we graduated with in the academy, and how everyone is doing.

Q. Was there any discussion of Ptlwn. [redacted] ?

A. Yes sir.

Q. What exactly was said and by whom?

A. It was brought up by Officer [redacted] that Ptlwn. [redacted] was texting him and from Officer [redacted] prospective, she seemed interested. I mentioned "Well, what do you think," and he said "I don't know, I don't think I could." I responded that "The only way it could be interesting is if you were to hate fuck her."

Q. What else did you say about Ptlwn. [redacted] that was along those same lines?

A. The words "Hate Fuck" are what I can remember, I'm being 100% honest, I can't remember anything else.

Q. Why did you say that about Ptlwn. [redacted] ?

A. To make a joke with my fellow officer, but that was obviously in ill taste and unprofessional.

Q. Have you had any issues with Ptlwn. [redacted] in the past?

A. Yes sir.

Q. Has she ever asked you not to use certain language in her presence before?

A. Yes sir.

Q. Explain that to me.

A. There was a night that we went out on a weekend, a bunch of academy classmates. I referred to some of my fellow classmates as "My nigger." And at the end of the night she told me that if offended her, and then I thought that was the end of it. We never had any problems since that day.

Q. Is that a term you routinely use.

A. Not routinely, sir, but I have used it before. I would also like to add for the sake of the report there was one other time, that I can remember, that I called my friend "My nigger" in front of Officer [redacted] but she didn't mention anything at the time. It was at an event prior to when she addressed this with me. I called and texted her after she addressed this with me to apologize. Immediately she did not except the apology however we did eventually become friendly. We attended a few graduation parties and I did see her and her boyfriend there. As far as I can understand she was okay with me then.

Q. Do you remember watching [redacted] while she was a prisoner in our department's custody on 11-10-15 at Rhode Island Hospital?

A. Yes sir, that was the day that there was a bank robbery. I don't remember her name but I do remember babysitting her.

Q. Did you have any specific problems with [redacted] while she was in your custody?

A. She complained initially that I was placing her in handcuffs, when no other officer had placed her in handcuffs. I told her that as a new officer, I didn't want to be breaking any rules.

Q. During your interaction with her, did you refer to her as a "Junkie?"

A. No sir.

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Q. Did she ask you at some point if she could use the bathroom?

A. Yes sir.

Q. What was your answer to this?

A. I can get a nurse for you for you to use a bed pan. I did not want to unhandcuff her from the stretcher that she was on.

Q. Did you comment to _____ at any time, about missing out on a bank robbery call while she was in your custody?

A. Yes sir.

Q. If so, what did you say?

A. Other than being disappointed that I was not involved in it, I do not remember any exact words. And that's the truth sergeant, but I did express some disappointment.

Q. How would you describe your demeanor with staff at Rhode Island Hospital that day?

A. Friendly sir. I caught up with a lot of old friends. I used to work there.

Q. Have you ever created a reason to stop a car, without having probable cause or reasonable suspicion to do so?

A. No sir.

Q. During the conversation you had with Officer _____ on Newport Ave., did you say that you have made up reasons to stop cars before?

A. No sir. I told him that sometimes you have to follow a car a long distance, until I'm able to observe a traffic violation, not to make one up. So that once you've observed it, you would be able to pull the car over. But I've never made up a reason. I'm unsure of the exact wording that I used in the conversation.

Q. Have you ever been discourteous to co-workers while on duty?

A. Yes sir.

Q. Do you remember the circumstances surrounding that answer?

A. The _____ incident.

Q. Have you ever been discourteous to the public while on duty?

A. Not that I can believe so sir.

Q. Is there anything you wish to add that you feel would be important for us to know for this investigation?

A. Other than to have on the record that I do deeply apologize for the comments I made about _____ I realize they were unprofessional and that while I made hurtful statements, I did not mean them

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-18-IA

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maliciously or with malicious intent. I would also like to add that I do respect her as a police officer and hope that we can one move past this.

Summary:

At 00:48 on 11-05-15 Ptl. [redacted] and Ptlwn. [redacted] conducted a vehicle stop on Newport Ave. After clearing the stop they met with off duty [redacted] in a parking lot near Honey Dew Donuts on Newport Ave.

During the stop Ptlwn. [redacted] said that Ptl. [redacted] made comments that he would "Hate Fuck" Ptlwn. [redacted] and that he would "...fuck her in the mouth...or the ass." She also alleges that he commented that he has "made stuff up" in order to conduct vehicle stops in the past. These comments so upset Ptlwn. [redacted] that she drove away and called her girlfriend to vent about them.

Before the 15:45 roll call later that day, Ptlwn. [redacted] told Ptlwn. [redacted] about the comments Ptl. [redacted] made about her. [redacted] later advised Sgt. [redacted], who in turn prepared an Officer Report about these comments. This case was assigned to me on 11-10-15.

During an interview with Ptl. [redacted], he confirmed that [redacted] said that he would "Hate Fuck" [redacted], but he offered no other information. He was not forthcoming but he did say that he is very good friends with [redacted]

Ptlwn. [redacted] told me she was angered by [redacted] comments and her feelings were hurt. She told me that she had to address [redacted] use of the word "nigger" while they were in the police academy. She also said "I pray that I'm never [redacted] post partner. I feel that he is going to jam someone up, and that he is incapable of telling the truth."

Ptlwn. [redacted] told Lt. Fournier and me that she is "good friends" with [redacted] and [redacted] was upset after hearing about [redacted] comments. She said that while they were in the academy, she, [redacted] and [redacted] were at an academy classmate's home and [redacted] used the term "Little Nig" approximately ten times in reference to a bouncer. [redacted] told him twice to stop using that term.

[redacted] told us that she backed [redacted] on a car stop after which she asked him why he stopped the car. He told her that the car's plate light was out. [redacted] told us the plate light was working when the car pulled away. Lt. Fournier and I checked the plate light on the vehicle that [redacted] mentioned, there was no plate light affixed to the rear plate. [redacted] told us that when she was watching a prisoner at the hospital, the prisoner, [redacted] told her [redacted] was not happy about having to watch her, told her he missed out on a bank robbery while he was watching her, continually called [redacted] a junkie, and threw a bed pan at her when she said she needed to use the bathroom. [redacted] also told us [redacted] acts differently in front of sergeants and that no one wants to work next to him. She is concerned "if I ever have to do a supplement on one of his arrests, they're not going to match. I think something in his report would be fabricated."

I spoke with [redacted] on several occasions but she did not come to the OPS to make a formal complaint. She told me [redacted] didn't throw a bedpan at her, but did tell the staff "get her a fucking bedpan. She said he did refer to her as a junkie several times.

[redacted] admitted in his statement to saying "The only way it would be interesting is if you were to hate fuck her" during his conversation with [redacted] and [redacted] denied being unprofessional with [redacted] while she was in his custody at the hospital. He did confirm that [redacted] addressed his use of the word "nigger" in her presence. He denied telling [redacted] that he fabricates reasons to stop cars.

It is possible that [redacted] largest issue is a lack of maturity. It was learned during this investigation that he behaves in one fashion when supervisors are present but acts differently when supervisors are not present. He does not accept advice or suggestions from other officers, even

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-18-IA

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senior officers. We were also told that he has difficulty handling alcohol, and that some of his academy class mates no longer socialize with him due to the way he acts when he is drinking. He is apparently quick to tell people he is a police officer when in bars or night clubs.

The East Providence Police Department Manual of Rules and Regulations, Policy and Procedures state the following:

General Order #2011-21 Section 250.06 Harassment in the Workplace 1.3 Prohibited Activity 1. ***No employee shall implicitly or explicitly ridicule, mock, deride, or belittle any person. 1. A. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national origin, or sexual orientation either directly or indirectly to another person.***

General Order #2011-04 Code of Conduct 1.12 Conduct Unbecoming A. ***No member shall act in such a manner so as to cast the East Providence Police Department in disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department or the individual member.***

General Order #2011-04 Code of Conduct 1.8 Civility B. ***All members shall be civil, orderly, diligent, discrete, courteous, and patient as a reasonable person is expected to be in any situation and shall not engage in any altercation, physical or otherwise, whether on duty or not, with any other person.***

1. Violation of General Order #2011-21 Section 250.06 Harassment in the Workplace 1.3 Prohibited Activity Sections 1 and 1 A **Sustained.**
2. Violation of General Order #2011-04 Code of Conduct 1.12 Conduct Unbecoming A. **Sustained.**
3. Violation of General Order #2011-04 Code of Conduct 1.8 Civility B. **Not Sustained.**

Sgt. Bruce W. Atwell

**East Providence Police Department
Investigative Report**

Page: 1
02/18/2016

Case #: 15-19-IA

Date/Time Reported: 10/26/2015 @ 1200
 Report Date/Time: 11/18/2015 @ 1411
 Occurred Between: 10/19/2015 @ 0930
 And: 10/29/2015 @ 1255
 Complaint Type: Department Rules
 Disposition: COUNSELING STATEMENT

Reporting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

Assisting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
	LOCATION TYPE: Government/Public Building EAST PROVIDENCE POLICE STATION 750 WATERMAN AVE EAST PROVIDENCE RI 02914		Zone: Post 2	
1	CIVILITY OCCURRED: 10/19/2015 0930 BIAS AGAINST: No Bias			C
2	CONDUCT UNBECOMING OCCURRED: 10/19/2015 0930 BIAS AGAINST: No Bias			C
3	CONDUCT UNBECOMING OCCURRED: 10/29/2015 1255 BIAS AGAINST: No Bias			C

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	PARELLA, CHRISTOPHER J 750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2 3 RELATION TO: Employer	M	W	00	NOT AVAIL	401-435-7600

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE 401-435-7600 CONTACT INFORMATION: Cell Phone (Primary) 401-435-7600	REPORTING PARTY			00		401-435-7600

East Providence Police Department
Investigative Report

Page: 2
02/18/2016

Case #: 15-19-IA

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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1	750 WATERMAN AVE EAST PROVIDENCE RI 02914			00		401-435-7600
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CONTACT INFORMATION:
Home Phone (Primary) 401-435-7600

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

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

OFFICER WITNESS STATEMENT

On 11-18-15 a counseling statement was prepared which finds _____ in violation of three separate department rules and regulations stemming from two separate incidents.

On 10-20-15 _____ monitored the NICE system and listened to a call on 10-19-15 from _____ about a found wallet at the Dunkin' Donuts on Willett Ave. During the call _____ asked if an officer could respond there and _____ replied "Yup" and after a pause she said "Ok." then asks if _____ knew the address she responded "Yup."

_____ also listened to a call from the Medical Examiner's office looking for a report from a call for service on 10-12-15 during which the Fire Department responded to _____ told the caller that the police did not respond to that address and she asked if the party died in the house. The caller informed her that the party died at the hospital. The call ended and _____ took no further action. She did not notify the OIC, Division Commander, or any supervisor of the death. _____ is in violation of:

East Providence Police Dept. Code of Conduct, **Section 1.8 Civility and 1.12 A. Conduct Unbecoming.**

On 10-29-15 at about 12:55 . _____ conducted a car stop on Pawtucket Ave. during which a license and warrant check was performed on _____ advised the officers on scene that _____ was in violation of a protection order with a passenger in the vehicle. He was arrested and brought to headquarters, it was later learned that _____ was the protected party. An investigation into this incident revealed that _____ was in violation of:

East Providence Police Dept. Code of Conduct, **Section 1.12 A. Conduct Unbecoming.**

Sgt. Bruce W. Atwell

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-19-IA

Entered: 11/18/2015 @ 1432 Entry ID: 8566
Modified: 11/18/2015 @ 1437 Modified ID: 8566

**East Providence Police Department
Investigative Report**

Page: 1
02/18/2016

Case #: 15-20-IA

Date/Time Reported: 11/18/2015 @ 0900
 Report Date/Time: 11/19/2015 @ 1312
 Occurred Between: 11/18/2015 @ 0628
 And: 11/18/2015 @ 0729
 Complaint Type: Department Rules
 Disposition: Sustained

Reporting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

Assisting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Highway/Road/Alley/Street Zone: Post 3

EAST PROVIDENCE RI 02914

- | | | | | |
|---|--|--|--|---|
| 1 | M/V SEARCH DOCUMENTATION POLICY
OCCURRED: 11/18/2015 0655
BIAS AGAINST: No Bias | | | C |
| 2 | M/V SEARCH DOC. CONSENT SEARCH POLICY
OCCURRED: 11/18/2015 0655
BIAS AGAINST: No Bias | | | C |
| 3 | RACIAL PROFILING DATA COLLECTION POLICY
OCCURRED: 11/18/2015 0655 | | | C |

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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- | | | | | | | |
|---|--|---|---|----|-----------|--------------|
| 1 | PARELLA, CHRISTOPHER J
750 WATERMAN AVE
EAST PROVIDENCE RI 02914
DOB: NOT AVAIL
EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600
CONTACT INFORMATION:
Home Phone (Primary) 401-435-7600
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: Employer
RELATION TO: Employer | M | W | 00 | NOT AVAIL | 401-435-7600 |
|---|--|---|---|----|-----------|--------------|

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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- | | | | | | | | |
|---|---|-------|--|--|--|--|--------------|
| 1 | 750 WATERMAN AVE
EAST PROVIDENCE RI 02914
DOB: NOT AVAIL
EMPLOYER: E.P.P.D. 401-435-7600
CONTACT INFORMATION:
Home Phone (Primary) 401-435-7600 | OTHER | | | | | 401-435-7600 |
|---|---|-------|--|--|--|--|--------------|

East Providence Police Department
Investigative Report

Page: 2
02/18/2016

Case #: 15-20-IA

OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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401-435-7600

1

750 WATERMAN AVE
EAST PROVIDENCE RI 02914

CONTACT INFORMATION:
Home Phone (Primary) 401-435-7600

BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC

EMPLOYER/SCHOOL: EAST PROVIDENCE POLICE

401-435-7600

2
750 WATERMAN AVE
EAST PROVIDENCE RI 02914

CONTACT INFORMATION:
Work Phone (Primary) 401-435-7600

BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: ETHNICITY: NOT HISPANIC

EMPLOYER/SCHOOL: :

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-20-IA

Entered: 11/25/2015 @ 0846
Modified: 12/03/2015 @ 0825Entry ID: 8566
Modified ID: 8566

OFFICER WITNESS STATEMENT

On 11-18-15 at 09:07 ;

called the OPS line and asked how she could

file a complaint about driving while black. I told her that I could talk to her about it and she said it involved a co-worker who was stopped by "3 or 4" East Providence police while he was on the way to work this morning. She said the officers asked him how he could afford such an expensive car, which is a Mercedes. She said her co-worker was "stopped for being a black person in a Mercedes." I told her that I would need to speak with her co-worker and she replied "I can make a complaint too, I've been through this before, but you can talk to him, he's right here." She then handed the phone to

I told me that he was stopped this morning by 3 or 4 police cars and was not told the reason for the stop. He said the officers searched his car and him, and then let him go without giving him a ticket. He said the officers asked him why he was in East Providence and the officers said they've never seen him before. He told the officers that he works at [redacted] and that he comes to East Providence every day. He said the officers kept asking about the tint on his car, and that he told them he has had the car for several years, and that the tint was on the car when he bought it.

As I spoke with [redacted] I looked up the car stop in IMC. I told him that the call screen indicates that he was given a Notice and Demand tag, and he said, "Yes, but that's not a ticket, they did all of that, kept me there for about 45 minutes, and then didn't even give me a ticket. They made me late for work." I told him that a Notice and Demand tag is, in fact, a ticket. I told [redacted] that I would look into his complaint and that he would need to fill out a Civilian Complaint form for me. I told him I could bring him the form. We arranged for me to meet him at [redacted] at 12:30.

At 09:32 [redacted] called the OPS line from his cell phone, [redacted]. He said "Look, when I got to work late [redacted] asked me why I was late and I told her about getting pulled over. I don't want to get those guys in trouble, they were very nice. It's no big deal. She's the one that wanted me to call you. Yes, they stopped me and searched me but I told them they could search me and the car. I don't want to get those guys in trouble." I told him that I still needed to look into his allegations, and that although he didn't want to make a complaint, I still needed to investigate his claims. He again said he didn't want to call OPS, and that he didn't want to make a "big deal of it" because "those guys were very nice. They saw me parked in CVS with my seat back because I was early for work and I was hanging out there. I don't want to make a complaint." I thanked him and asked him to call again if he changed his mind.

[redacted] indicates that [redacted] stopped RI registration [redacted], a 2003 Mercedes S500 registered to [redacted] on Warren Ave. at Moorland Ave. at 06:55. At 06:56 [redacted] arrived as back up. At 07:00 [redacted] makes a "26 neg" notation in the call screen. At 07:07 she enters "status check: code 4 at this time." At 07:20 she enters "code 4." At 07:29 she enters "10-8 R." There is no indication of a Code 75. The stop lasted 34 minutes, only [redacted] and [redacted] are listed in the call. Lt. Fournier later spoke with [redacted], the road supervisor working at the time of the stop. [redacted] had been aware of the stop and did stop by that location while Ptl. [redacted] was conducting the search.

Ref: 15-20-IA

Entered: 11/25/2015 @ 0846
Modified: 12/03/2015 @ 0825

Entry ID: 8566
Modified ID: 8566

A check of the NICE system indicates that [redacted] may have noticed [redacted] in his car at CVS around 06:28 and he contacts [redacted] about this off air. They then set up surveillance in the area. There are several transmissions between [redacted] on channel 3 about car. Ptl. [redacted] tells [redacted] that [redacted] is "some kind of concert promoter" and that "he's known for a bunch of guns (or something to that effect)." He then says "I don't know what he's doing in East Providence, I've never seen his car here... I didn't see it last night, I don't know what it's doing in the city right now." At 06:31 [redacted] asks [redacted] to run a criminal history check on the registered owner of RI registration [redacted]. At 06:33 [redacted] tells [redacted] that criminal history is negative, and at 06:55 Ptl. [redacted] stops the vehicle. [redacted] clears the stop with "R-Robert," none of the subsequent transmissions indicate a Code 75 took place.

A check of the Violation / Racial Profile screen indicates that a consent search was conducted, but that no criminal history took place and the stop lasted no longer than 15 minutes. I drove to and saw [redacted] vehicle, it has heavily tinted windows on the sides and rear.

On 11-19-15 there were two missed calls from [redacted] indicated on the OPS line. I called him back and he told me that he noticed damage inside his vehicle when he was driving home yesterday. He described the damage as "It looks like they tried to force something open so they could look inside." He also said he is missing a debit card and an expired license that were inside the car before the search. He told me "It's no big deal but I want to come by and show you the damage at 12:30." I gave him the address to the OPS and he said he would meet me at 12:30.

When [redacted] arrived he showed Lt. Fournier and me how his ash tray / coin holder, which is in front of the transmission shift, is off track when it is open. He told us he thinks the officers completely removed the object in order to look behind it when they searched the car. I photographed the ashtray in the open position. I also photographed the exterior of the vehicle to show the dark tint.

He again told me that the officers didn't tell him why he was stopped and didn't ask permission to search his car, instead the officer said "You don't mind if I check your car, do you?" [redacted] said he replied "Go ahead" because he had nothing to hide.

He pointed out the area where he said he had an expired license and a business debit card, it was the arm rest in the center console. He said he noticed after work yesterday that the license and debit card were missing so he called his bank and had the debit card canceled. He said there had been no activity on the debit card. It should be noted that the interior of [redacted] vehicle is somewhat cluttered with assorted paperwork and various other items. Though [redacted] said he looked throughout the vehicle for those two items, it is possible that the items could have been misplaced inside the vehicle.

[redacted] said he didn't want to make a "big deal" of the issue and didn't want to make a complaint but said he planned on getting the ashtray fixed and filing a claim with the city. I explained that process to him and advised him to mention that he spoke with Lt. Fournier and me about it and that I took photos of his vehicle. I also gave him a Civilian Complaint form in case he changed his mind about making a complaint.

The issues that should be addressed as a result of this vehicle stop are: The search of the vehicle, even though done with consent, should have been broadcast on channel 1 or logged in the

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-20-IA

Entered: 11/25/2015 @ 0846 Entry ID: 8566
Modified: 12/03/2015 @ 0825 Modified ID: 8566

IMC call screen; the Racial Profile tab incorrectly indicates that [redacted] criminal history was not queried; that tab also indicates the stop lasted less than fifteen minutes, though the stop lasted 34 minutes; the possibility that [redacted] expired license and debit card were lost or misplaced as a result of the search. I sent an email to [redacted] on 11-19-15 stating:

In reference to [redacted]; a car stop you conducted on Warren Ave. at Moorland Ave. on 11-18-15 at 6:55, an Administrative Investigation has begun in regards to your actions during that car stop.

Please prepare an Officer Report regarding the stop. Please be as specific and detailed as possible, especially in the following areas:

What drew your attention to the vehicle; what independent research you did about the registered owner before the stop [redacted] learned that he is a DJ before the stop); did you tell the motorist the reason for the stop, if so what was the reason; what was the reason for the search of the vehicle; was that reason told to the motorist; during the search was the ashtray / coin holder in the front of the vehicle removed from its base, if so why and by which officer; why was the search not logged in the call screen; why was the driver's criminal history check not indicated on the racial profiling screen; what was the duration of the stop listed as 15 minutes or less in the racial profiling screen.

Again, please be as specific and detailed as possible in answering the above, and add any additional information you think would be helpful. Thank you in advance.

Sgt. Atwell"

[redacted] explains in his Officer Report that the darkly tinted windows on [redacted] vehicle drew his attention, he could not see the occupants of the vehicle, and he states "It should be noted that I have never seen this vehicle in East Providence before." He said that after the Mercedes turned in the Mobile lot and then the CVS lot, [redacted] "felt as though the driver of the vehicle may have been attempting to elude my presence."

[redacted] was in the area and he [redacted] spoke in the lot of the Mobile. [redacted] told that he used to work as a "bouncer" on Federal Hill and one of the clubs had a club promoter named [redacted] (same as the plate on [redacted] car) and that "**it was rumored that [redacted] would always carry a firearm in his vehicle. Due to the registration plate on the vehicle as well as past information I have received during my previous employment, I suspected the vehicle may contain a firearm.**" The officers set up surveillance intending to stop the vehicle when it left CVS. [redacted] was parked in the Riteaid lot and [redacted] drove up to him and advised him this information.

The Mercedes remained in the lot over the next 45 minutes, no one exited or entered the vehicle. This increased [redacted] suspicions. He ran the registration plate and learned that the vehicle was from Providence. He checked on [redacted] for warrants, cross agency arrests, and criminal history, all were negative.

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

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At 06:55 the Mercedes left the lot traveling east on Warren Ave. and I and
stooped the vehicle near Moorland Ave. states he told he stopped his
car because of the dark tint, and he asked to roll all of the windows down because he could
not see in the vehicle. complied. asked why he was parked in the
CVS lot and replied that he was taking a nap because it was too early for him to go to work
and that he works At that time arrived.

I told "the parking lot of CVS has been known to have drug transactions
made in the past, as well as a parking lot people use to consume drugs. I informed on how
his actions would be suspicious to a Police Officer, which stated he understood and agreed. I
asked if there were any weapons / drugs in the vehicle, which he stated there was not. I
asked if I could search the vehicle for any weapons / drugs, which he stated I could."

frisked for weapons and searched the vehicle with negative results. He
states that he did not call Code 75 on the radio because was on scene. He states "During
my search I did locate numerous cell phones in the middle console as well as a small empty purple zip
lock bag, a bag similar to what narcotics are concealed in, underneath the driver's seat. During my
search I removed the coin/ash tray from the dashboard to see if any narcotics were stored behind it,
which showed negative. As my training and experience as a Police Officer, it is a known fact that drug
users/dealers may try to conceal narcotics in the center console."

issued a Notice and Demand tag for having an expired inspection sticker
and he thanked for his co-operation. told him he understood "due his father being a
police officer in his original country, Liberia. mentioned this to Lt. Fournier and me on
11-20-15 as well, and also told us he understood the officers were doing their job at the time of the
stop.

I states in the Racial Profiling tab he listed the stop as lasting 0 to 15 minutes.
"This was an error on my part after working a midnight shift and trying to complete the form quickly so I
could gas the cruiser up for the next shift. I should have put the stop lasted for 16 to 30 minutes,
which was my mistake and not done maliciously. It was also brought to my attention that I answered
'Criminal History not check,' when I should have put 'Yes, it was checked.' This was another error on
my part, which was not done maliciously or in an attempt to hide/conceal anything, but rather to
complete the form in a quick manner to gas up the cruiser for the next shift."

He concludes his Officer Report, "I apologize for my errors, which were not done maliciously or
done to conceal my actions during the stop, and can assure these errors will not happen again in the
future."

brought the Officer Report to me at 07:20 on 11-20-15. He apologized and
re-iterated what he listed in his lengthy Officer Report. He was very concerned and was very genuine.
I assured him that over the long course of a career, an active patrol officer will generate complaints
from time to time. He told me if he damaged the ashtray, it was an accident, and that he would pay to
fix it (I told him the City would pay). He also told me that he did not see a driver's license in the vehicle
but did see a debit card somewhere in the car.

Officer Report states he also saw the Mercedes and it appeared the operator was

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trying to avoid police contact when it turned into Mobile. Much of what follows in the report is similar if not the same as report. He states that "requested consent by the operator to perform a search of the vehicle; the operator complied.

The operator was compliant throughout the entire search and even thanked us for being respectful to him."

I later asked if he saw a driver's license or debit card in the vehicle and he told me he never entered the vehicle.

Summary:

It is understandable that the officers would have noticed vehicle because the tint is very dark, especially the rear window. Both officers believed the vehicle's operator was trying to avoid police contact; both felt the vehicle abruptly turned into the Mobile and CVS lots. thought the vehicle was owned by someone who he knew about from previous employment, and who was "rumored" to always have a firearm in his vehicle. The only suggested link to the knew about from previous employment (who was **rumored** to have a firearm in his car) and the occupant of the vehicle was the registration plate.

researched through law enforcement resources and found no criminal history or police contact with . This should have eased his suspicions, but it did not. However, the longer the vehicle remained in the CVS lot, the more suspicious the officers became.

When the officers stopped mentioned his suspicions to him and asked for consent to search the Mercedes. By all accounts, freely consented to the search of his vehicle. However, at this point, consent was asked for based on the motor vehicle violation for Unlawful Sunscreen Material, the officers belief that made an abrupt turn into the Mobile and CVS lot, and the fact that the Mercedes had been in the CVS parking lot for over thirty minutes. The officers should have approached the vehicle when it made the turn from Pawtucket Ave. and then parked in CVS.

After receiving consent from mistakenly did not notify dispatch or list the search in the call screen because he knew was aware of the search. Our policy states that officers "must" notify dispatch of the "Code 75" prior to the search. The search is listed in the Racial Profiling screen.

made inadvertent errors when he listed that the stop lasted less than fifteen minutes and no criminal history check was performed. He states he made these errors in haste, not as a means to cover up the length of the stop or the criminal history check.

told me he did not see a driver's license but did see a debit card inside the vehicle. claim that both items are now missing cannot be substantiated due to the amount of clutter in his vehicle. The officer also told me that it is a possibility that the ashtray / coin hold may have been damaged as a result of him searching the vehicle.

Conclusion:

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The East Providence Police Department Manual of Rules and Regulations, Policy and Procedures state the following:

General Order #2004-5 Section 330.03 B Motor Vehicle / Person Search Documentation 1.3

Procedures A. 1. While conducting a motor vehicle stop, if a sworn member decides to conduct a vehicle and/or person(s) search, the member must perform the following prior to the search:

- a. Radio headquarters that a Code "75" will be conducted. If imminent officer safety issues are present, notification be made after the member's safety concerns have been appropriately alleviated.

General Order #2004-5 Section 330.03 B Motor Vehicle / Person Search Documentation 1.3

Procedures A.2. CONSENT SEARCH: No operator or owner-passenger of a motor vehicle shall be requested to consent to a search of his or her motor vehicle which is stopped solely for a traffic violation, unless there exists at least reasonable suspicion of criminal activity. No consent is required if probable cause of criminal activity has been established.

General Order 2009-56 Section 330.17 E-Citation and Racial Profiling Data Collection Policy 1.3

Procedures A. 3. Officers shall issue E-Citations for Municipal Court, RITT, and District Court Violations. The Racial Profiling (RP) tab shall be completed for each motor vehicle stop (including verbal warnings and Notice and Demand tags).

5. Officers will make a review of data fields to ensure accuracy before printing and issuing the E-Citation.

Violation of General Order #2004-5 Section 330.03 B Motor Vehicle / Person Search Documentation 1.3 Procedures A. 1. a: **Sustained.**

Violation of General Order #2004-5 Section 330.03 B Motor Vehicle / Person Search Documentation 1.3 Procedures A. 2: **Sustained.**

Violation of General Order #2009-56 Section 330.17 E-Citation and Racial Profiling Data Collection Policy 1.3 Procedures A. 5: **Sustained.**

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has earned a reputation of being a hard working patrol officer, one that can be trusted and one that is liked and respected by his peers and supervisors.

I believe that intentions were well meaning and the documentation errors were inadvertent. The fact that he had to prepare an Officer Report should, in my opinion, be the only reminder he needs to correct those errors. It should be pointed out to him, however, that the knowledge of lack of police contact with should not have gone un-noticed.

East Providence Police Department

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-20-IA

Entered: 11/25/2015 @ 0846 Entry ID: 8566
Modified: 12/03/2015 @ 0825 Modified ID: 8566

Sgt. Bruce W. Atwell



**East Providence Police Department
Investigative Report**

Case #: 15-21-IA

Date/Time Reported: 10/27/2015 @ 0715
 Report Date/Time: 10/27/2015 @ 0715
 Occurred Between: 10/24/2015 @ 2210
 And: 11/19/2015 @ 1355
 Complaint Type: Department Rules
 Disposition: Sustained

Reporting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

Assisting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Department/Discount Store Zone: Post 2
 EAST PROVIDENCE POLICE STATION
 750 WATERMAN AVE
 EAST PROVIDENCE RI

1	ADMINISTRATIVE INVESTIGATION OCCURRED: 10/24/2015 2210			C
2	CONDUCT UNBECOMING OCCURRED: 10/24/2015 2210			C
3	NEGLECT OF DUTY OCCURRED: 10/24/2015 2210			C
4	TRUTHFULNESS OCCURRED: 10/24/2015 2210			C
5	INCOMPETENCE OCCURRED: 10/24/2015 2210			C
6	VIOLATION COMMUNICATION OPERATIONS POLICY OCCURRED: 10/24/2015 2210			C

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	PARELLA, CHRISTOPHER J CHF 750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: ;	M	W	00	NOT AVAIL	401-435-7600
						Otherwise Known

East Providence Police Department
Investigative Report

Page: 2
02/18/2016

Case #: 15-21-IA

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: CITY OF EAST PROVIDENCE · 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600					NOT AVAIL	401-435-7600

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE	
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 BODY: NOT AVAIL. COMPLEXION: NOT AVAIL. DOB: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC					NOT AVAIL	401-435-7600

[APPEARANCE]

GLASSES WORN: NO

EMPLOYER/SCHOOL: CITY OF EAST PROVIDENCE · 401-435-7600

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-21-IA

Entered: 11/23/2015 @ 1237 Entry ID: 2141
Modified: 12/01/2015 @ 1212 Modified ID: 2141

OFFICER WITNESS STATEMENT

On 11/19/15, Maj. Nebus forwarded me a complaint which had been submitted through the chain of command by _____, regarding the actions of _____ at 2210 hrs, on 10/24/15 while taking a call for an incident at the Irving Gas Station located on Taunton Ave.

_____ had been working as one of the road supervisors when the call for service (CFS) was broadcast. At 2211 hrs, Dispatcher _____ activated the emergency "tone" and proceeded to broadcast to police units, that in the Irving Gas station parking lot on Taunton Ave. were... **"two males with guns in the parking lot...making threats to harm other individuals..."**.

Several area police units respond, with _____ being the first to arrive moments after dispatch. Several minutes after the arrival of other police units, _____ asks dispatch, on channel #3, *"Who mentioned the firearms?"* Dispatcher _____ replied, **"We only had one call on it... female patron with a child... observed inside the establishment... words and whatever objects they had on them inside... the uh, gas station... they carried it outside to the parking lot... she ran out, got in the car and left."** _____ then asks, *"Do you have her call back information?"* Dispatcher replies, **"Negative, she didn't want to get involved."**

However, when Dispatcher _____ initially spoke to the reporting party at 2210 hrs, the very excited female caller states, **"Two men are threatening to shoot each other in front of the Irving Station in East Providence. I had to run out of there with my little daughter."** The "threat" to shoot each other is the only indication of a weapon(s). The R/P never states that she observed any weapons(s), as Disp. _____ would relay to responding units. He further states to _____, when questioned, that the caller observed... **"whatever objects they had on them."** This is totally false information that had never been given to the dispatcher by the R/P.

There was no attempt on Disp. _____ part to obtain the callers information, for follow up. There is no attempt at getting any suspect information, to include description.

Dispatcher _____ relates to _____ that there was no information from the caller, because she, **"...didn't want to get involved."** Dispatcher _____ would have no way of knowing that, as he never asked her for her name or phone number. The witness never stated to Dispatcher _____ that she didn't want to get involved. The proper questioning had never been asked of her.

Dispatcher _____ basically allowed a CFS for a verbal disturbance to elevate to a critical incident

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-21-IA

Entered: 11/23/2015 @ 1237 Entry ID: 2141
Modified: 12/01/2015 @ 1212 Modified ID: 2141

involving weapons. This heightened the response for multiple police units to a "Code 1 response" creating an unnecessary risk to those units and the area citizenry.

Although the caller states that the subjects are threatening to "shoot each other", there is no other information to suggest weapons. A simple question from Dispatcher , asking if the R/P had observed any weapons, would have been helpful in clarifying that no weapons were seen.

In this instance it seems more convenient to fabricate or twist information to fit the dispatchers version of events rather than to rely on the actual R/P's information.

Refer to Supervisory Complaint of _____ and pertinent recordings from the NICE System (radio & telephone logs).

SUMMARY

On 10/24/15 at 2210 hrs, Dispatch _____ answers a call from an unknown female caller, reporting a disturbance at the Irving Gas Station on Taunton Ave. The caller reports that two (2) male subjects were "threatening to shoot each other". She further advises the dispatcher that one of the subjects is the husband of the gas station clerk. The caller relates that she has a small child with her and was leaving the area.

Dispatcher _____ broadcasts the emergency tones followed by embellished information stating that there were subjects with "**guns**" in the Irving Gas Station parking lot on Taunton Ave... "**making threats to harm other individuals**". This statement implies suspects/subjects with firearms possibly harming anyone in the area. It is a very broad statement, not confined to the two individuals mentioned by the R/P. It is conceivable that any police officer hearing that CFS would assume exactly that. Visions of a mass shooting is not far fetched in today's society, where these types of shootings are an all too familiar occurrence.

Dispatcher _____ failed to ask for, or obtain pertinent information for relay to the responding police personnel, to include suspect descriptions. Furthermore, he fabricates information falsely stating that the caller observed "**whatever objects they had on them**". There is no mistake that _____ is inferring "guns" when he makes this statement. No such indication had been given by the caller.

Dispatcher _____ also advises the road supervisor, _____, that he did not have the caller's information, adding, "**...she didn't want to get involved.**" That may have been the case, but his

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-21-IA

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failure to at least ask the caller, makes that statement also false.

The East Providence Police Department Manual of Rules and Regulations, Policy and Procedures state:

General Order 2011-04, Code of Conduct-

1.6 A, Truthfulness: *Consistent with the Manual of Procedures, all members shall speak the truth at all times and under all circumstances while acting an official capacity.*

1.12 A, Conduct Unbecoming: *No member shall act in such a manner so as to cast the East Providence Police Department into disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department.*

1.14, E, Neglect of Duty: *No member shall make false official reports, or knowingly and willingly enter or caused to be entered into any departmental books, records or reports, any inaccurate, false, or improper information.*

1.15, A, Incompetence:

1. *A member shall maintain sufficient competency to perform his duty and to assume the responsibilities of his/her position.*

2. *Incompetence includes but is not limited to:*

- a.** *A lack of knowledge of the application of laws required to be enforced;*
- b.** *An unwillingness or inability to perform assigned tasks;*
- c.** *The failure to conform to work standards established for the officer's rank, grade or position;*
- d.** *Repeated poor evaluations or repeated infractions of the provisions of the Manual of Procedures.*

General Order 2009-76, Communications Operations-

1.10 E, Emergency Telephone Call Processing Procedures states:

4. *During telephone calls involving reports of crimes in progress or serious threats to public safety, the Central Communications Dispatcher will attempt to keep the caller on the line while officers respond.*

6. *As much information as possible should be obtained from the caller, including but not limited to the location of the incident, nature of the call for service or the fact that it is a call of an unknown nature, any suspect, vehicle, or other perpetrator related information provided by caller.*

Dispatcher _____ failure to follow proper protocol and ask pertinent questions of a reporting caller, coupled with his decision to give fabricated/false information to police personnel, including a

East Providence Police Department

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NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-21-IA

Entered: 11/23/2015 @ 1237
Modified: 12/01/2015 @ 1212

Entry ID: 2141
Modified ID: 2141

supervisor, reflect discredit upon him and adversely affected the operation and efficiency of the police department.

The charge of "*Truthfulness*" is **SUSTAINED.**

The charge of "*Conduct Unbecoming*" is **SUSTAINED.**

The charge of "*Neglect of Duty*" is **SUSTAINED.**

The charge of "*Incompetence*" is **SUSTAINED.**

The charge of violating the "*Communications Operations Policy*" is **SUSTAINED.**

Lt. Craig S. Fournier - 2141

12/1/2015

**East Providence Police Department
Investigative Report**

Page: 1
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Case #: 15-22-IA

Date/Time Reported: 10/28/2015 @ 2300
 Report Date/Time: 10/28/2015 @ 2300
 Occurred Between: 10/28/2015 @ 2047
 And: 11/19/2015 @ 1402
 Complaint Type: Department Rules
 Disposition: Sustained

Reporting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

Assisting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Department/Discount Store Zone: Post 2
 EAST PROVIDENCE POLICE STATION
 750 WATERMAN AVE
 EAST PROVIDENCE RI

- | | | | | |
|---|--|--|--|---|
| 1 | ADMINISTRATIVE INVESTIGATION
OCCURRED: 10/28/2015 2047 | | | C |
| 2 | CONDUCT UNBECOMING
OCCURRED: 10/28/2015 2047 | | | C |
| 3 | INCOMPETENCE
OCCURRED: 10/28/2015 2047 | | | C |
| 4 | VIOLATION OF COMMUNICATIONS OPERATIONS
OCCURRED: 10/28/2015 2047 | | | C |

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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- | | | | | | | |
|---|--|---|---|----|-----------|-----------------|
| 1 | PARELLA, CHRISTOPHER J CHF
750 WATERMAN AVE
EAST PROVIDENCE RI 02914
DOB: NOT AVAIL
EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600
CONTACT INFORMATION:
Home Phone (Primary) 401-435-7600
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: | M | W | 00 | NOT AVAIL | 401-435-7600 |
| | | | | | | Otherwise Known |

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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- | | | | | | | | |
|---|--|--|--|--|--|-----------|--------------|
| 1 | 750 WATERMAN AVE
EAST PROVIDENCE RI 02914
DOB: NOT AVAIL
EMPLOYER: UNEMPLOYED 401-435-7600
CONTACT INFORMATION:
Home Phone (Primary) 401-435-7600
Work Phone (Primary) 401-435-7600 | | | | | NOT AVAIL | 401-435-7600 |
|---|--|--|--|--|--|-----------|--------------|

East Providence Police Department
Investigative Report

Page: 2
02/18/2016

Case #: 15-22-IA

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 BODY: NOT AVAIL. DOB: NOT AVAIL. LICENSE NUMBER: NOT AVAIL.				NOT AVAIL	401-435-7600
[APPEARANCE]						

GLASSES WORN: NO

EMPLOYER/SCHOOL: CITY OF EAST PROVIDENCE · 401-435-7600

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-22-IA

Entered: 11/19/2015 @ 1451
Modified: 12/01/2015 @ 1213Entry ID: 2141
Modified ID: 2141

OFFICER WITNESS STATEMENT

On 11/19/15, Maj. Nebus forwarded me a complaint which had been submitted through the chain of command by _____, regarding the actions of _____ at 2047 hrs, on 10/27/15 while taking a call for a Robbery at the Broadway Mart Convenience Store located at 655 North Broadway.

_____ was the Office in Charge on this particular evening and was able to hear the call for service (CFS) dispatched. _____ was also able to then review the radio and telephone recordings from the NICE System. (Refer to attached NICE System recordings).

_____ relates in his complaint that he was "**...aware of recent concerns with Dispatcher handling of phone calls and subsequent dispatch.**" To support these concerns, _____ points out that _____ failed to ask pertinent questions of the caller, such as, possible weapon(s) involved and a suspect description. _____ also failed to ask for or obtain the caller's information, to include a phone number. This is basic information that should be asked at a minimum for such a CFS. _____ also points out that there was a delay in dispatching police units, either due to a lack of import by _____ or due to a failure to communicate with his dispatch coworkers. _____ gets excited with the caller and raises his voice repeating questions, that although may be valid, the delay in a response from the caller is time further spent not dispatching police personnel. (Refer to Officer Report of _____)

SUMMARY

On 10/27/15 at 2047 hrs a 9-1-1 call for service (CFS) was received in dispatch, answered by Dispatcher _____. The call was for a reported robbery at the convenience store located at 655 North Broadway, (Broadway Mart).

The Officer in Charge of this shift was _____. Being aware of recent issues with Disp. _____ performance, _____ reviewed the incoming 9-1-1 call, the call for service as it was dispatched, and the subsequent police broadcasts related to the incident.

_____ expressed concerns over a lack of information being obtained by Disp. _____ This information is of the type which can be crucial to responding police units for officer safety and suspect identification purposes, amongst others. It includes suspect description, weapon description if any, as

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-22-IA

Entered: 11/19/2015 @ 1451
Modified: 12/01/2015 @ 1213

Entry ID: 2141
Modified ID: 2141

well as caller information to include a call back number, should the reporting party need to be called back for further information.

In this instance the suspect apparently possessed a "box cutter", which although not a firearm, still can pose a serious threat to any officer who may encounter a suspect possessing one, especially an officer who is unprepared for that threat. failed to even ask about a weapon. That information was gleaned by the first responding officer, Ptlm

failed to ask for a description of the suspect. Needless to say, this is of high importance to responding personnel who may encounter or observe the suspect while en route to the incident scene.

These issues are repeated problems with

Also, of increasing concern is the delay which occurs in dispatch when a dispatcher has enough information from an emergency caller to either start police units to the area of an incident, or relay information to another dispatcher to broadcast to police units. The caller should simply be asked to remain on the line while information is given to responding units. These seconds of delay very easily could make the difference of a police car being in the area of a CFS and able to readily respond, or having been in the area, but now heading out away from the incident simply because they are unaware... not having been dispatched as of yet. This issue is not singular with and can be found in most of the Dispatcher ranks.

These issues are demonstrative of a bigger problem within the East Providence Police/Fire Dispatcher ranks. It is unclear as to what, if any, continual training in dispatch procedures or best practices are given to these individuals.

Police Officers and Fire Fighters are mandated to receive and participate in annual training in certain areas within their respective public safety professions. Dispatchers do not receive this refresher type training and may become complacent and/or neglectful in their duties, failing to obtain pertinent important information in these emergency situations. Although most likely not intentional, being seated calmly at a telephone/radio console answering repetitious calls for emergency assistance can become a boring mundane activity, lulling one into a lackadaisical state.

**East Providence Police Department Manual of Rules and Regulations, Policy and Procedure,
General Order 2011-04, Code of Conduct-**

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-22-IA

Entered: 11/19/2015 @ 1451 Entry ID: 2141
Modified: 12/01/2015 @ 1213 Modified ID: 2141

1.12 A, Conduct Unbecoming states: *No member shall act in such a manner so as to cast the East Providence Police Department into disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department.*

1.15, Incompetence states:

A. 1. *A member shall maintain sufficient competency to perform his duty and to assume the responsibilities of his/her position.*

2. *Incompetence includes but is not limited to:*

- a.** *A lack of knowledge of the application of laws required to be enforced;*
- b.** *An unwillingness or inability to perform assigned tasks;*
- c.** *The failure to conform to work standards established for the officer's rank, grade or position;*
- d.** *Repeated poor evaluations or repeated infractions of the provisions of the Manual of Procedures.*

General Order 2009-76, Communications Operations-

1.10 E, Emergency Telephone Call Processing Procedures states:

4. *During telephone calls involving reports of crimes in progress or serious threats to public safety, the Central Communications Dispatcher will attempt to keep the caller on the line while officers respond.*

6. *As much information as possible should be obtained from the caller, including but not limited to the location of the incident, nature of the call for service or the fact that it is a call of an unknown nature, any suspect, vehicle, or other perpetrator related information provided by caller.*

failure to obtain crucial pertinent information regarding this robbery affected the operation and efficiency of the police department. The shortcomings identified in this investigation, coupled with previous complaints, suggest a competency issue or unwillingness to conform to established standards and expectations of an East Providence Police Department Communications Dispatcher.

**** It should be noted that there was no interview with _____ for this investigation. Ample evidence existed to corroborate the facts/charges of the complaining officer. _**

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-22-IA

Entered: 11/19/2015 @ 1451 Entry ID: 2141
Modified: 12/01/2015 @ 1213 Modified ID: 2141

The charge of "*Conduct Unbecoming*" is SUSTAINED.

The charge of "*Incompetence*" is SUSTAINED.

The charge of violating the "*Communications Operations Policy*" is SUSTAINED.

Lt. Craig S. Fournier - 2141

12/1/2015

**East Providence Police Department
Investigative Report**

Page: 1
02/18/2016

Case #: 15-23-IA

Date/Time Reported: 12/04/2015 @ 0737
Report Date/Time: 12/04/2015 @ 0738
Occurred On: 12/02/2015 @ 2037

Complaint Type: Department Rules
Disposition: Sustained

Reporting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

Assisting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

#	OFFENSE(S)	A/C	TIME/CHAP	SECTION
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LOCATION TYPE: Government/Public Building Zone: Post 2
EAST PROVIDENCE POLICE DEPARTMENT
750 WATERMAN AVE
EAST PROVIDENCE RI 02914

- | | | | | |
|---|---|--|--|---|
| 1 | CIVILITY
OCCURRED: 12/02/2015 2037
BIAS AGAINST: No Bias | | | C |
| 2 | CONDUCT UNBECOMING
OCCURRED: 12/02/2015 2037 | | | C |

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	PARELLA, CHRISTOPHER J 750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO:	M	W	00	NOT AVAIL	401-435-7600
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Employer

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
---	------------	-----	------	-----	-----	-------

1	1 750 WATERMAN AVE EAST PROVIDENCE RI 02914 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 BODY: NOT AVAIL. DOB: NOT AVAIL. LICENSE NUMBER: NOT AVAIL.					401-435-7600
---	---	--	--	--	--	--------------

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

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-23-IA

Entered: 12/04/2015 @ 0852
Modified: 12/04/2015 @ 0857Entry ID: 8566
Modified ID: 8566**OFFICER WITNESS STATEMENT**

On 12-03-15 I was reviewing phone calls and radio transmissions that were recorded on the NICE system on 12-02-15. One of those calls was answered by _____ at 20:37, it was a phone call from a Gloucester Police Dispatcher named _____. The dialogue is as follows:

Disp. _____ "East Providence Police and Fire."

Disp. _____: "Hi it's _____ from the Gloucester Police Department calling."

Disp. I _____ "Yeah?"

Disp. _____ "I'm calling to see if a woman named _____ called about a, a over due motorist, _____ that resides in your town?"

Disp. _____ (mumbled) "Hold on a minute." He then places his hand over the phone and asks the other dispatchers: "Did we receive an overdue motorist call from an _____ about a _____ Then why the fuck Gloucester Police are calling it in?" He then removes his hand from the receiver and curtly tells _____ "No we have not."

Disp. _____ (after a pause) "Ok. Thank you."

Disp. _____ "Yup."

Disp. _____ voice was loud enough and clear enough to be heard by Disp. _____. His comment "Then why the fuck Gloucester Police are calling it in?" and his tone and attitude during the call are discourteous, unprofessional, and uncivil. Disp. _____ has been informally counselled on this issue several times in the past. On 5-28-15 he was issued a formal Supervisory Counseling Review Report addressing these same issues. That Report concludes by stating "Any continuance of this type of activity on your part could potentially subject you to progressive discipline."

General Order #2011-04 Code of Conduct 1.8 A. Civility: **All members shall be civil, orderly, diligent, discrete, courteous, and patient as a reasonable person is expected to be in any situation, and shall not engage in any altercation, physical or otherwise, whether on duty or not, with any other person.**

General Order #2011-04 Code of Conduct 1.8 C. Civility: **All members shall answer questions from citizens in a courteous manner and if unable to supply a responsive answer, shall make a reasonable effort to direct the citizen to a person or agency who can provide a responsive answer.**

General Order #2011-04 Code of Conduct 1.12 A. Conduct Unbecoming: **No member shall act in such a manner so as to cast the East Providence Police Department in disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department or the individual**

East Providence Police Department

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NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-23-IA

Entered: 12/04/2015 @ 0852 Entry ID: 8566
Modified: 12/04/2015 @ 0857 Modified ID: 8566

member.

1. Violation of General Order #2011-04 Code of Conduct 1.8 A. and C. Civility Sustained.
2. Violation of General Order #2011-04 Code of Conduct 1.12 A. Conduct Unbecoming Sustained.

Sgt. Bruce W. Atwell

**East Providence Police Department
Investigative Report**

Page: 1
02/18/2016

Case #: 15-24-IA

Date/Time Reported: 12/04/2015 @ 0630
 Report Date/Time: 12/04/2015 @ 1338
 Occurred Between: 12/04/2015 @ 0630
 And: 12/04/2015 @ 0715
 Complaint Type: Department Rules
 Disposition: NOT SUSTAINED

Reporting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

Assisting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
	LOCATION TYPE: Department/Discount Store EAST PROVIDENCE POLICE STATION 750 WATERMAN AVE EAST PROVIDENCE RI		Zone: Post 2	
1	CONDUCT UNBECOMING OCCURRED: 12/04/2015 0630			C

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	PARELLA, CHRISTOPHER J CHF 750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE DE · 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: :	M	W	00	NOT AVAIL	401-435-7600
						Otherwise Known

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 BODY: NOT AVAIL. DOB: NOT AVAIL LICENSE NUMBER: RI :	M	W	00	NOT AVAIL	401-435-7600
						COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC EMPLOYER/SCHOOL: EPPD · 401-435-7600

NARRATIVE FOR LIEUTENANT CRAIG S FOURNIER - 2141

Ref: 15-24-IA

Entered: 02/18/2016 @ 0828 Entry ID: 2141
Modified: 02/18/2016 @ 0833 Modified ID: 2141

East Providence Police Department **Supplemental Report**

Supplement Date : 02/18/2016 / 0828 hrs

LIEUTENANT Craig S Fournier - 2141

After reviewing the above listed case, it was found to have been left "open" due to an oversight in reporting. There are no sustainable charges against _____ as he had not been privy to any of the information from the witness that _____ neglected to interview. _____ also was not privy to the information obtained from the primary physical aggressor / suspect, regarding striking the listed victim.

With regards to _____ a charge of "Conduct Unbecoming" is NOT SUSTAINED.

Lt. Craig S. Fournier - 2141 2/18/16

Ref: 15-24-IA

Entered: 02/18/2016 @ 0823 Entry ID: 2141
Modified: 02/18/2016 @ 0823 Modified ID: 2141

OFFICER WITNESS STATEMENT

On 12-4-15 Lt. Fournier made me aware of a call for service that I [redacted], and [redacted] handled at 06:56 in the parking lot of the [redacted] [redacted]. It involved the arrest of [redacted] for Domestic Simple Assault and Domestic Disorder Conduct [redacted]. The victim was [redacted] have a child in common and they live together in apartment [redacted] at that address. [redacted] refused to press charges or provide a statement about the incident. The disturbance was called into dispatch by [redacted] who lives in apartment [redacted] and who later provided a statement to our department.

This incident is being reviewed because [redacted] initially planned on handling it as a suppressed disturbance despite the fact that he was told by [redacted] that she "slapped him [redacted] a few times," and did not speak to [redacted] until told to do so by [redacted] [redacted] spoke to [redacted] about the incident, she instructed him to provide an Officer Report regarding how he handled it, and she also provided an Officer Report regarding her review of the incident. In addition, she had [redacted] prepare an Officer Report as well.

NICE System Review:

There are 33 recordings pertaining to this call for service. Those recordings include phone calls from return calls to her, and radio transmissions during the incident. The first call from [redacted] is at 6:56:47 (#1 on the audio CD), she tells dispatch her address and says "There's a girl screaming outside my window right now at a guy...hitting him...telling him to give her the fucking keys." [redacted] can be heard yelling in the background. Dispatcher [redacted] initially sends [redacted] (post 8) and [redacted] (post 2) but [redacted] (post 5) tells dispatch that he is clear and will respond to the call. The call was relayed to the officers as "... [redacted] in the parking lot... I have a female screaming at a male party...a neighbor called it in...unknown further" (4). [redacted] calls on scene at 6:58:58. At 6:59:09 (6) [redacted] called dispatch again and said "...she's punching him." This information was relayed to [redacted] at 6:59:23 (7), he acknowledges the information at 6:59:33 (8). [redacted] calls on scene at 6:59:49. [redacted] interviewed [redacted] while [redacted] interviewed [redacted] away [redacted].

At 7:03:10 (12) [redacted] asks [redacted] the male party was located and if he [redacted] wants to press charges. [redacted] tells [redacted] to "go to channel 3" and then tells [redacted] [redacted] at 7:04:28 (14) "Nah he doesn't want to hear it." [redacted] acknowledges this (15). At 7:10:18 (16) [redacted] asks [redacted] if the call for service is a "domestic" and then [redacted] responds (33) that "It's going to be a suppressed, we'll be code 4." [redacted] then tells him to stand by and await his arrival.

When [redacted] arrived there is a series of transmissions with dispatch in order to locate [redacted] then has [redacted] speak to [redacted]. After he does, at 07:33:14 (28), he advises dispatch that he "has a female 95."

Statement:

[redacted] states [redacted] told him she returned home at 06:30 after being dropped off by her new boyfriend. She said she and [redacted] have a child in common, and that [redacted] became upset with her and took the car keys away from her. [redacted] became upset "because she is bipolar and not on her medication." [redacted] told him she "grabbed [redacted] coat to keep him from walking away from her, and then 'slapped him a few times.'"

SGT. ATWELL NARRATIVE

Ref: 15-24-IA

Entered: 02/18/2016 @ 0823

Entry ID: 2141

Modified: 02/18/2016 @ 0823

Modified ID: 2141

states returned to the scene with who said he didn't want to press charges and refused to fill out a DVSA form. states he contacted dispatch to "ask if the reporting party would speak to the police, and was directed to apartment ." This was actually done by : told that she saw \ "strike the male with her fists about five times." then said that "Checks through NCIC showed K : and J t were both negative for warrants. This implies that they're warrant status was performed at the scene, it wasn't (See I Statement). f continues that \ : was "then placed in handcuffs and secured in the back of my cruiser" and their baby was left with . He concludes his statement with "DCYF was later contacted and advised of the situation."

Officer Report:

prepared an Officer Report on 12-5-15 at 04:00. She states "I respectfully request your attention to a recent supervisory concern regarding Officer ." She states when he submitted the arrest report for ' she had him stand by while she reviewed it and she wanted to speak to him about how the case was handled. She states "Upon reviewing the report, there were several basic investigative elements missing from Officer : report, such as:

- Did not list the proper call information provided by dispatch
- Neither party was run for warrant checks during the incident (checks after incident, neg.)
- No contact listed or made to DCYF regarding child on scene for DV incident
- No information as to the well-being of child or who child was left with
- No info. Regarding DV pamphlets being provided on scene by .

I directed Ofc. I to correct these errors prior to approving the case."

: Officer Report provides an excellent, thorough, detailed explanation of her conversation with and the questions she asked him. I suggest reading the Officer Report in entirety. However, to summarize:

asked him why he concluded originally that the investigation revealed only a suppressed disturbance and he answered that the male didn't want to make a complaint. She then asked if it was necessary to have the co-operation of a victim during a domestic violence investigation, and he hesitated at great length but offered no response. She asked him if he heard dispatch advise him that the calling party was reporting that the female was actively assaulting the male, and he again paused and said "No." This response surprised . She then played the recordings from NICE for : including the one where dispatch told the officers that the female was assaulting the male, and then the recording of acknowledging that advisement. again asked if he received the message and, again after a lengthy pause, he told her "he didn't remember hearing the information."

The ' : then referenced I report, specifically where he states told him she struck She asked if this was probable cause for a domestic violence arrest, after a pause of at least twenty seconds, ' did not respond. She then asked what his thought process was during the investigation, and why he had hesitations and a lack of response to her questions. then told her "He didn't have injury." She pressed him further, asking if he needed an injured victim in order to make an arrest during a domestic violence investigation. He stared at her and at a piece of paper in his hand while thinking about what to say.

continued to contemplate his answer for about one minute.

told him she was still waiting

SGT. ATWELL NARRATIVE

Ref: 15-24-IA

Entered: 02/18/2016 @ 0823
Modified: 02/18/2016 @ 0823Entry ID: 2141
Modified ID: 2141

for an answer, and he said "in a very slow drawn out manner, 'I don't want to be a rat...but there was a certain veteran officer on scene...that suggested it was a suppressed.'" The [redacted] asked [redacted] if [redacted] told him to conclude the investigation as a suppressed disturbance and he responded "that was what he was saying."

[redacted] had [redacted] listen to relevant NICE recordings again to verify that [redacted], was with [redacted] during the investigation. [redacted] told her that at some point [redacted] did drive [redacted] to where [redacted] was talking with [redacted]. She asked him if [redacted] questioned the suspect to which [redacted] said he did not. She then asked if he told [redacted] the female admitted to assaulting [redacted], and he said no. She then states "I advised Ofc. [redacted] that I couldn't understand how [redacted] advised him to make the call a suppressed disturbance if he didn't even know all the facts or speak to the other party." On 12-10-15 I spoke with [redacted] about this aspect of the investigation. She told me that her immediate reaction to [redacted] saying [redacted] told him to conclude the case as a Suppressed Disturbance, was that [redacted] was being untruthful.

[redacted] asked [redacted] again if he was going to conclude the call for service as a suppressed disturbance because he didn't know he could make an arrest or because [redacted] told him to. He stared at the [redacted] and did not answer. At that point [redacted] instructed [redacted] to answer the question in an Officer Report, saying "I suggested he just be honest..." When [redacted] gave the Officer Report to her, he told her, "I was just embarrassed that I did the wrong thing and I didn't know." He also apologized for his earlier behavior.

[redacted] states she "advised OPS Lt. Fournier of this incident because of the concern it brought regarding Ofc. [redacted] incompetence in handling the domestic violence call, as well as issues of integrity. She later addressed these concerns with [redacted] with Lt. Fournier present.

Report:

[redacted] prepared an Officer Report on 12-4-15 at 10:28. He states "I made the incorrect determination that this should be a suppressed disturbance because of the lack of a complaint and no visible injuries...It was only after [redacted] arrived on scene and stated that the suspect should be arrested based on the witness and suspect's admission of guilt... After making this error, I recognize that I need to be much more thorough in future cases, and that if I am unsure of a certain situation, that I need to contact my sergeant."

Officer Report:

[redacted] prepared an Officer Report on 12-5-15 at 02:35. He states officers were sent to [redacted] for a report of a domestic disturbance, and at 06:57 "responding units were advised by dispatch that a female party was screaming outside at a male party. Dispatch then advised responding units the female was punching the male." While conducting their investigation, [redacted] asked [redacted] if [redacted] wanted to press charges. "Officer [redacted] said the male party did not want to pursue a complaint.

En route to this call, I stopped in the Police Station to sign an Officers Report submitted by Officer [redacted], and I spoke briefly with [redacted]. She asked if I was respond to the call in Rumford and I advised her I was. We heard Officer [redacted] call Code-4 and that he had a suppressed disturbance. [redacted] asked me to verify if this was a domestic case." [redacted] asked [redacted] over the radio if the incident was domestic in nature while he responded to the scene. [redacted] responded that it was a suppressed disturbance and [redacted] advised him to stand by.

SGT. ATWELL NARRATIVE

Ref: 15-24-IA

Entered: 02/18/2016 @ 0823 Entry ID: 2141
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When [redacted] spoke with [redacted] he described the incident as he knew it, saying "He [redacted] said the male party claimed he was not physically assaulted except that she grabbed his coat as they argued and there were no signs of injury." [redacted] told [redacted] "she ([redacted]) told him she had slapped him ([redacted]) but he did not want to press charges and there was no signs of injury. Officer [redacted] said he was not aware of her admission of a physical assault. He said the male insisted there was no assault.

I chastised both officers and advised them the domestic violence laws state we technically have to make an arrest...What should have made the call even easier was the female suspect made an admission of guilt...That alone should have prompted Officer [redacted] to advise dispatch of his intent to place the female in custody way before even I arrived on scene.

I was surprised and upset Officer [redacted] was going to clear this call for service as a suppressed disturbance. I felt this call was very basic (domestic violence 101) and not difficult to investigate...In fact, Officer [redacted] response 'she said she slapped him' was said in a tone like he might have been aware of his error in determining the call was a suppressed disturbance. Due to the time of day and time on scene, I felt I had to take over the call and direct what need to be done in order to expedite this very basic domestic violence call."

[redacted] arranged for [redacted] to speak with [redacted], when he returned he told the [redacted] that [redacted] saw [redacted] punch [redacted] and that she was willing to provide a statement. [redacted] then had the officers take custody of [redacted] and turn the child over to [redacted] who then refused [redacted] request to offer a statement or fill out a DVSA form.

While [redacted] and [redacted] processed [redacted] in the cell block, [redacted] met with them "to make sure there were aware that they had to contact DCYF because a child was present during the domestic incident." So as not to upset [redacted] he "surreptitiously stated it to Officer [redacted] and Officer [redacted]. Officer [redacted] acknowledged what I was saying and I asked him to make sure Officer [redacted] was aware."

He concludes "I did not have the opportunity to formally address Officer [redacted] on the matter of him improperly handling this call for service because of the end of my shift and his efforts to process the suspect and complete his report...I was told by [redacted] that she did attempt to address it with him when he submitted his completed report to her during the shift."

Statement to OPS:

[redacted] offered a statement to OPS concerning his involvement in the [redacted] investigation at 13:35 on 12-04-15. He states that when he arrived on scene, [redacted] was talking to a female with a baby and was told that the male half of the incident left. He found [redacted] on [redacted] St. at [redacted] Rd. [redacted] old [redacted] that his girlfriend ([redacted]) was seeing another guy and he didn't want her to take the car. [redacted] asked him if [redacted] assaulted him and he told [redacted] that she grabbed him by his jacket collar when he walked away. "I didn't see any injury on him when I talked to him. I [redacted] asked me if [redacted] wanted to press charges. I asked [redacted] if he wanted to press a beef and he said no. I told [redacted] to go to channel three, when he did I told him [redacted] didn't want to hear it."

[redacted] continues that he brought [redacted] back to where [redacted] and [redacted] were. He states "I think dispatch asked if there were going to be charges and I answered 'Suppressed.' [redacted] never asked for my guidance and didn't ask me what I thought he should do about the case." He states [redacted] arrived and spoke with [redacted] "and then [redacted] went up and talked to a witness. He hadn't talked to her before this. I guess the lady he talked to saw the girl slap [redacted] but she didn't want to come down while [redacted] and the girl were there. She told [redacted] that she would

SGT. ATWELL NARRATIVE

Ref: 15-24-IA

Entered: 02/18/2016 @ 0823 Entry ID: 2141
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come in and give a statement." He states () refused to provide a statement or fill out a DVSA form at request.

It should be noted that it was actually who told via radio that the case was going to be handled as a suppressed disturbance, not

On 12-8-15 I contacted Planning and Training and asked him for a copy of the Municipal Police Training Academy's training schedule for recruit class. According to the schedule, he received 12 hours of Domestic Violence / Sexual Assault training between March 30th and April 1, 2015. He also received Domestic Violence / Sexual Assault training in a role play setting over the course of 28 hours between May 11 through May 13, 2015. That training was not exclusive to Domestic Violence / Sexual Assault topics.

A check of our IMC system revealed that has been a secondary officer on two occasions in which an arrest was made for Domestic Violence crimes since being hired.

Summary:

On 12-4-15 at 06:56 and were sent to for a report of a female screaming at a male party in the parking lot, the caller being a neighbor. As arrived on scene dispatch advised him that the female suspect was physically assaulting the male. He acknowledged this message from dispatch. He spoke with the female suspect, and she told him she slapped the victim, several times. and had a prior substantive relationship and have a child in common. spoke with who denied being assaulted and had no sign of injury. When asked if wanted to file a complaint, he was told that did not. Up to that point made no attempt to determine who called the incident in to dispatch and he did not run warrant checks on either party.

When inquired via radio if the incident was of a Domestic Violence nature, told him the incident would be a Suppressed Disturbance. When arrived on scene he was told by that admitted to assaulting told the he was unaware of this admission by then instructed to speak with the calling party, which he did. agreed to provide a statement to the officer. was arrested and brought to the police station. During the processing procedure asked to communicate to that he needed to contact DCYF about the incident because the assault took place in the presence of and child. It is unclear if this was relayed to

spoke with to determine why he originally was not going to make an arrest. He told the he didn't remember hearing and acknowledging the broadcast about the female assaulting the male. She also asked if he thought probable cause existed for an arrest after being told by that she assaulted first didn't respond, then said "He didn't have an injury." When asked if a cooperative or injured victim was a necessity to make an arrest in a Domestic Violence investigation, just stared at the and at a paper in his hand. He eventually told her that told him to conclude the investigation as a Suppressed Disturbance.

played NICE recordings and questioned further to determine if spoke with told her did not speak to and did not tell that admitted to assaulting did not provide and answer to inquiry into whether told him to conclude the case as an arrest or if he himself came to that conclusion. In Officer Report he

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states he made the determination not to arrest based on having no visible injuries and his lack of co-operation. He did not explain why he did not attempt to locate and interview , later told OPS that did not seek his advice on how to handle the call.

has had training and experience with Domestic Violence cases in the past. This was not a complex incident requiring advanced investigative skills. The information from dispatch that a caller witnessed assaulting should have prompted to either speak to the caller or ask to speak to the caller. In addition, admission that she assaulted was probable cause to arrest her. It should be noted that handled a verbal disturbance between these same individuals on . That incident was documented in a Suppressed Disturbance report (), has a first name of in the involved screen and in the narrative. An arrest should have been the desired conclusion in this most recent incident in order to decrease the likelihood of repeated issues and calls for service involving

inability or unwillingness to answer is also a concern. As his comment that told him carry the incident as a Suppressed Disturbance although didn't speak to both involved parties; and then stating in his Officer Report that he made this conclusion himself.

Conclusion:

General Order #2011-04 Code of Conduct Rules and Regulations 1.14 A. Neglect of Duty: An officer shall take suitable and appropriate police action within the City of East Providence: upon becoming aware that a crime is occurring, is about to occur or has occurred; or a public disorder is taking place; or any other incident requiring police attention is taking place, is about to take place, or has taken place.

General Order #2011-04 Code of Conduct Rules and Regulations 1.15 A. Incompetence: A member shall maintain sufficient competency to perform his duty and to assume responsibilities of his/her position.

2. Incompetence includes but is not limited to:

a. A lack of knowledge of the application of laws required to be enforced;

General Order #2011-04 Code of Conduct Rules and Regulations 1.6 A. Truthfulness: Consistent with the provisions of the Manual of Procedures, all members shall speak the truth at all times and under all circumstances while acting in an official capacity.

General Order #2011-04 Code of Conduct Rules and Regulations 1.12 A. Conduct Unbecoming: No member shall act in such a manner so as to cast the East Providence Police Department into disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department or the individual member.

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.14 A. Neglect of Duty: **Sustained.**

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.15 A. Incompetence: **Sustained.**

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.6 A. Truthfulness: **Sustained.**

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.12 A. Conduct Unbecoming: **Sustained.**

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On 12-4-15 Lt. Fournier instructed me to review Officer Reports and reports regarding two incidents that was involved in while off duty on 12-1-15 in

is prepared by He states that on 12-1-15 at 01:56 he was sent to for a vandalism report. When he arrived he met

is in the process of a divorce from and they have a child in common. formerly lived with in the apartment but moved out "a few" months prior, still has keys to the apartment and has "equal access." occasionally stops by the apartment.

and had been dating for "a few days" and he and have known each other since childhood. On and left for Twin River at about 20:00. At about 20:30 received a text from containing a picture of a used condom in a trash can in the apartment. In the message called a "whore" and indicated he hoped she "will get hit by a truck." indicated he was at the apartment and wasn't happy that she was sleeping with. Apparently saw car in the apartment complex parking lot the day before.

received a text from about the same time did, saying "Fuck you for sleeping with my wife." asked him if he was at the apartment and replied "What if I am? It's MY apartment." When and returned to the apartment all four tires or vehicle were flattened from punctures in the side wall. vehicle is a it's registered to his father.

told that he was not interested in pressing charges on however, report indicates though was at the apartment that evening, there were no witnesses to the vandalism and made no references to the vandalism in his texts. and provided hand written statements about the incident and photos of the were taken by a Sergeant.

Later that same morning, at 07:05, responded back to the apartment and met with for a report of a disturbance. Dispatch advised the officers responding that had just left the scene.

told the officers that about ten minutes prior to their arrival, entered the apartment using a key that he has, entered a bedroom where were sleeping, removed the blanket from the bed, and video tapped them in the bed (they were both apparently naked at the time). yelled at to get out of "his" apartment. stated during this ordeal, "put his hands around neck." She said took her cell phone and she tried to get it back from him, and that she and "got physical" and he would not give her phone back. She further said that had stolen an Ipad and divorce papers when he was in the apartment the previous night.

later responded to the and spoke with He showed the video he filmed to the officer but the video stops after he is seen pulling the covers off the bed and yelling at to get out of his apartment. was charged with Domestic Disorderly Conduct and misdemeanor Larceny.

At about 12:59 phoned to make him aware of these incidents. told him he was concerned about the footage had of he and in bed naked. instructed him to prepare an Officer Report about the incidents when he returned to work. In his report does not indicate that there were two separate incidents requiring to respond to the residence twice, he indicates that it was one incident. He also states that was charged with "Domestic Aggravated Assault and Domestic Larceny Under

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\$1500."

It is not known how much of the [redacted] divorce situation was known by [redacted] when he began to date [redacted] a few days before these incidents. What is clear though, is that [redacted] knew that [redacted] had been in the [redacted] apartment on [redacted] while [redacted] and [redacted] were out for the evening, and that [redacted] had keys to the apartment. He also knew that [redacted] suspected that he was sleeping with [redacted] and that [redacted] was not happy about this.

When [redacted] and [redacted] returned to the apartment they discovered all four tires on [redacted]'s car had been slashed and items were stolen from the apartment. The [redacted] were called and these events were reported. [redacted] still decided to remain in the apartment overnight, knowing that [redacted] suspected he was sleeping with [redacted] and knowing that [redacted] had keys to the apartment. He explained to [redacted] later that day that he decided to stay with [redacted] because his vehicle was inoperable and she was too intoxicated to drive him home. However, he should have made other arrangements to leave the apartment. [redacted]'s decision to remain in the apartment resulted in an event that led to [redacted] filming him in an uncompromising situation, a disturbance between all three parties, and a second response by the [redacted]. When later documenting the situation as his immediate supervisor instructed, [redacted] tried to minimize the events by indicating there was one response from [redacted].

[redacted]'s error in judgement is especially troubling because on 11-23-15 he was interviewed by Lt. Fournier and me at the OPS. He was advised he was being investigated for Workplace Harassment, Civility, and Conduct Unbecoming. At the conclusion of the interview we made it abundantly clear to him that his conduct, on duty and off duty, is a direct reflection of our Department and himself. We spelled out to him that this is especially important to remember during his probationary period. The result of that investigation had not been reached when these two [redacted] incidents took place. After the first incident which prompted a [redacted] response, [redacted] should have ensured that he did not put himself in a situation to have [redacted] respond again, especially less than six hours later.

Even though this incident is not being fully investigated by the OPS, it illustrates the kind of judgement that [redacted] has used as revealed through other OPS investigations.

Sgt. Bruce W. Atwell

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East Providence Police Department
Investigative Report

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Case #: 15-25-IA

Date/Time Reported: 12/04/2015 @ 1200
Report Date/Time: 12/10/2015 @ 0745
Occurred Between: 12/04/2015 @ 0656
 And: 12/04/2015 @ 0730
Complaint Type: Department Rules
Disposition: Sustained

Reporting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

Assisting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
	LOCATION TYPE: Residence/Home/Apt./Condo		Zone: Post 8	
	EAST PROVIDENCE RI 02916			
1	NEGLECT OF DUTY OCCURRED: 12/04/2015 0656			C
2	INCOMPETENCE OCCURRED: 12/04/2015 0656			C
3	TRUTHFULNESS OCCURRED: 12/04/2015 0656			C
4	CONDUCT UNBECOMING OCCURRED: 12/04/2015 0656			C

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	PARELLA, CHRISTOPHER J 750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2 3 4 RELATION TO: Employer	M	W	00	NOT AVAIL	401-435-7600

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE CONTACT INFORMATION: Home Phone (Primary) 401-435-7600					NOT AVAIL	401-435-7600

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Case #: 15-25-IA

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
2	750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: CITY OF EAST PROVIDENCE CONTACT INFORMATION: Home Phone (Primary)					401-435-7600	NOT AVAIL 401-435-7600
3	750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: EMPLOYER: EAST PROVIDENCE POLICE CONTACT INFORMATION: Cell Phone (Primary)						

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE	
1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 CONTACT INFORMATION: Home Phone (Primary) BODY: NOT AVAIL. DOB: NOT AVAIL. LICENSE NUMBER: NOT AVAIL.						COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-25-IA

Entered: 12/10/2015 @ 0910 Entry ID: 8566
 Modified: 12/11/2015 @ 0936 Modified ID: 8566

OFFICER WITNESS STATEMENT

On 12-4-15 Lt. Fournier made me aware of a call for service that [redacted] and [redacted] handled at 06:56 in the parking lot of the [redacted]. It involved the arrest of [redacted] for Domestic Simple Assault and Domestic Disorder Conduct. The victim was [redacted] and [redacted] have a child in common and they live together in apartment [redacted] at that address. [redacted] refused to press charges or provide a statement about the incident. The disturbance was called into dispatch by [redacted], who lives in apartment [redacted] and who later provided a statement to our department.

This incident is being reviewed because [redacted] initially planned on handling it as a suppressed disturbance despite the fact that he was told by [redacted] that she "slapped him [redacted] a few times," and [redacted] did not speak to [redacted] until told to do so by [redacted]. [redacted] spoke to [redacted] about the incident, she instructed him to provide an Officer Report regarding how he handled it, and she also provided an Officer Report regarding her review of the incident. In addition, she had [redacted] prepare an Officer Report as well.

NICE System Review:

There are 33 recordings pertaining to this call for service. Those recordings include phone calls from return calls to her, and radio transmissions during the incident. The first call from [redacted] is at 6:56:47 (#1 on the audio CD), she tells dispatch her address and says "There's a girl screaming outside my window right now at a guy...hitting him...telling him to give her the fucking keys." [redacted] can be heard yelling in the background. Dispatcher initially sends [redacted] and [redacted] but [redacted] tells dispatch that he is clear and will respond to the call. The call was relayed to the officers as "... [redacted] in the parking lot... I have a female screaming at a male party...a neighbor called it in...unknown further" (4). [redacted] calls on scene at 6:58:58. At 6:59:09 (6) [redacted] called dispatch again and said "...she's punching him." This information was relayed to [redacted] at 6:59:23 (7), he acknowledges the information at 6:59:33 (8). [redacted] calls on scene at 6:59:49. [redacted] interviewed [redacted] while [redacted] interviewed [redacted] away from [redacted] and [redacted].

At 7:03:10 (12) [redacted] asks [redacted] if the male party was located and if he ([redacted]) wants to press charges. [redacted] tells [redacted] to "go to channel 3" and then tells [redacted] at 7:04:28 (14) "Nah he doesn't want to hear it." [redacted] acknowledges this (15). At 7:10:18 (16) [redacted] asks [redacted] if the call for service is a "domestic" and then [redacted] responds (33) that "it's going to be a suppressed, we'll be code 4." [redacted] then tells him to stand by and await his arrival.

When [redacted] arrived there is a series of transmissions with dispatch in order to locate [redacted] then [redacted] has [redacted] speak to [redacted]. After he does, at 07:33:14 (28), he advises dispatch that he "has a female 95."

[redacted] states [redacted] told him she returned home at 06:30 after being dropped off by her new boyfriend. She said she and [redacted] have a child in common, and that [redacted] became upset with her and took the car keys away from her. [redacted] became upset "because she is bipolar and not on her medication." [redacted] told him she "grabbed coat to keep him from walking away from her, and then 'slapped him a few times.'"

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states returned to the scene with , who said he didn't want to press charges and refused to fill out a DVSA form. states he contacted dispatch to "ask if the reporting party would speak to the police, and was directed to apartment of the apartment complex." This was actually done by told that she saw "strike the male with her fists about five times." then said that "Checks through NCIC showed and were both negative for warrants. This implies that they're warrant status was performed at the scene, it wasn't (See Statement). continues the was "then placed in handcuffs and secured in the back of my cruiser" and their baby was left with . He concludes his statement with "DCYF was later contacted and advised of the situation."

prepared an Officer Report on 12-5-15 at 04:00. She states "I respectfully request your attention to a recent supervisory concern regarding Officer ..." She states when he submitted the arrest report for she had him stand by while she reviewed it and she wanted to speak to him about how the case was handled. She states "Upon reviewing the report, there were several basic investigative elements missing from Officer report, such as:

- Did not list the proper call information provided by dispatch
- Neither party was run for warrant checks during the incident (checks after incident, neg.)
- No contact listed or made to DCYF regarding child on scene for DV incident
- No information as to the well-being of child or who child was left with
- No info. Regarding DV pamphlets being provided on scene by

I directed to correct these errors prior to approving the case."

Officer Report provides an excellent, thorough, detailed explanation of her conversation with and the questions she asked him. I suggest reading the Officer Report in entirety. However, to summarize:

asked him why he concluded originally that the investigation revealed only a suppressed disturbance and he answered that the male didn't want to make a complaint. She then asked if it was necessary to have the co-operation of a victim during a domestic violence investigation, and he hesitated at great length but offered no response. She asked him if he heard dispatch advise him that the calling party was reporting that the female was actively assaulting the male, and he again paused and said "No." This response surprised the Lieutenant. She then played the recordings from NICE for , including the one where dispatch told the officers that the female was assaulting the male, and then the recording of acknowledging that advisement. again asked if he received the message and, again after a lengthy pause, he told her "he didn't remember hearing the information."

The Lieutenant then referenced report, specifically where he states told him she struck . She asked if this was probable cause for a domestic violence arrest, after a pause of at least twenty seconds, did not respond. She then asked what his thought process was during the investigation, and why he had hesitations and a lack of response to her questions. then told her "He didn't have injury." She pressed him further, asking if he needed an injured victim in order to make an arrest during a domestic violence investigation. He stared at her and at a piece of paper in his hand while thinking about what to say.

continued to contemplate his answer for about one minute. told him she was still waiting

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for an answer, and he said "in a very slow drawn out manner, 'I don't want to be a rat...but there was a certain veteran officer on scene...that suggested it was a suppressed.'" The Lieutenant asked if told him to conclude the investigation as a suppressed disturbance and he responded "that was what he was saying."

had listen to relevant NICE recordings again to verify that I was with during the investigation. told her that at some point did drive to where I was talking with She asked him if questioned the suspect to which said he did not. She then asked if he told the female admitted to assaulting and he said no. She then states "I advised Ofc. that I couldn't understand how advised him to make the call a suppressed disturbance if he didn't even know all the facts or speak to the other party." On 12-10-15 I spoke with about this aspect of the investigation. She told me that her immediate reaction to saying I told him to conclude the case as a Suppressed Disturbance, was that I was being untruthful.

asked I again if he was going to conclude the call for service as a suppressed disturbance because he didn't know he could make an arrest or because told him to. He stared at the Lieutenant and did not answer. At that point I instructed to answer the question in an Officer Report, saying "I suggested he just be honest..." When I gave the Officer Report to her, he told her, "I was just embarrassed that I did the wrong thing and I didn't know." He also apologized for his earlier behavior.

states she "advised OPS Lt. Fournier of this incident because of the concern it brought regarding Ofc. incompetence in handling the domestic violence call, as well as issues of integrity. She later addressed these concerns with Major Nebus and Chief Parella with Lt. Fournier present.

prepared an Officer Report on 12-4-15 at 10:28. He states "I made the incorrect determination that this should be a suppressed disturbance because of the lack of a complaint and no visible injuries...It was only after I arrived on scene and stated that the suspect should be arrested based on the witness and suspect's admission of guilt... After making this error, I recognize that I need to be much more thorough in future cases, and that if I am unsure of a certain situation, that I need to contact my sergeant."

prepared an Officer Report on 12-5-15 at 02:35. He states officers were sent to New Rd. for a report of a domestic disturbance, and at 06:57 "responding units were advised by dispatch that a female party was screaming outside at a male party. Dispatch then advised responding units the female was punching the male." While conducting their investigation, asked if wanted to press charges. "Officer said the male party did not want to pursue a complaint.

En route to this call, I stopped in the Police Station to sign an Officers Report submitted by Officer and I spoke briefly with Lieutenant. She asked if I was respond to the call in Rumford and I advised her I was. We heard Officer call Code-4 and that he had a suppressed disturbance. asked me to verify if this was a domestic case." asked I over the radio if the incident was domestic in nature while he responded to the scene. responded that it was a suppressed disturbance and advised him to stand by.

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When [redacted] spoke with Ptl. [redacted] he described the incident as he knew it, saying "He ([redacted]) said the male party claimed he was not physically assaulted except that she grabbed his coat as they argued and there were no signs of injury." Ptl. [redacted] told [redacted] "she ([redacted]) told him she had slapped him ([redacted]) but he did not want to press charges and there was no signs of injury. Officer [redacted] said he was not aware of her admission of a physical assault. He said the male insisted there was no assault.

I chastised both officers and advised them the domestic violence laws state we technically have to make an arrest...What should have made the call even easier was the female suspect made and admission of guilt...That alone should have prompted Office [redacted] to advise dispatch of his intent to place the female in custody way before even I arrived on scene.

I was surprised and upset Officer [redacted] was going to clear this call for service as a suppressed disturbance. I felt this call was very basic (domestic violence 101) and not difficult to investigate...In fact, Officer [redacted] response 'she said she slapped him' was said in a tone like he might have been aware of his error in determining the call was a suppressed disturbance. Due to the time of day and time on scene, I felt I had to take over the call and direct what need to be done in order to expedite this very basic domestic violence call."

[redacted] arranged for [redacted] to speak with [redacted] when he returned he told the Sergeant that [redacted] saw punch [redacted] and that she was willing to provide a statement. [redacted] then had the officers take custody of [redacted] and turn the child over to [redacted], who then refused [redacted] request to offer a statement or fill out a DVSA form.

While [redacted] and [redacted] processed [redacted] in the cell block, Sgt [redacted] met with them "to make sure there were aware that they had to contact DCYF because a child was present during the domestic incident." So as not to upset [redacted] he "surreptitiously stated it to Offic [redacted] and Officer [redacted] Office [redacted] acknowledged what I was saying and I asked him to make sure Officer [redacted] was aware."

He concludes "I did not have the opportunity to formally address Officer [redacted] on the matter of him improperly handling this call for service because of the end of my shift and his efforts to process the suspect and complete his report...I was told by Lieutenant [redacted] that she did attempt to address it with him when he submitted his completed report to her during the shift."

[redacted] offered a statement to OPS concerning his involvement in the New Rd. investigation at 13:35 on 12-04-15. He states that when he arrived on scene, [redacted] was talking to a female with a baby and was told that the male half of the incident left. He found [redacted] on Bailey St. at New Rd. [redacted] told [redacted] that his girlfriend ([redacted]) was seeing another guy and he didn't want her to take the car. [redacted] asked him if [redacted] assaulted him and he told [redacted] that she grabbed him by his jacket collar when he walked away. "I didn't see any injury on him when I talked to him. [redacted] asked me [redacted] wanted to press charges. I asked [redacted] if he wanted to press a beef and he said no. I told [redacted] to go to channel three, when he did I told him [redacted] didn't want to hear it."

[redacted] continues that he brought [redacted] back to where [redacted] and [redacted] were. He states "I think dispatch asked if there were going to be charges and I answered 'Suppressed.' [redacted] never asked for my guidance and didn't ask me what I thought he should do about the case." He states [redacted] arrived and spoke with [redacted] "and then [redacted] went up and talked to a witness. He hadn't talked to her before this. I guess the lady he talked to saw the girl slap [redacted] but she didn't want to come down while [redacted] and the girl were there. She told [redacted] that she would

come in and give a statement." He states: refused to provide a statement or fill out a DVSA form at request.

It should be noted that it was actually [redacted] who told [redacted] via radio that the case was going to be handled as a suppressed disturbance, not

On 12-8-15 I contacted [redacted] and asked him for a copy of the Municipal Police Training Academy's training schedule for Ptl. Montminy's recruit class. According to the schedule, he received 12 hours of Domestic Violence / Sexual Assault training between March 30th and April 1, 2015. He also received Domestic Violence / Sexual Assault training in a role play setting over the course of 28 hours between May 11 through May 13, 2015. That training was not exclusive to Domestic Violence / Sexual Assault topics.

A check of our IMC system revealed that [redacted] has been a secondary officer on two occasions in which an arrest was made for Domestic Violence crimes since being hired.

Summary:

On 12-4-15 at 06:56 [redacted] and [redacted] were sent to 65 New Rd. for a report of a female screaming at a male party in the parking lot, the caller being a neighbor. As [redacted] arrived on scene dispatch advised him that the female suspect was physically assaulting the male. He acknowledged this message from dispatch. He spoke with the female suspect, [redacted] and she told him she slapped the victim, [redacted], several times. [redacted] and [redacted] had a prior substantive relationship and have a child in common. [redacted] spoke with [redacted] who denied being assaulted and had no sign of injury. When [redacted] asked [redacted] if [redacted] wanted to file a complaint, he was told that [redacted] did not. Up to that point [redacted] made no attempt to determine who called the incident in to dispatch and he did not run warrant checks on either party.

When [redacted] inquired via radio if the incident was of a Domestic Violence nature, [redacted] told him the incident would be a Suppressed Disturbance. When [redacted] arrived on scene he was told by [redacted] that [redacted] admitted to assaulting [redacted] told the Sergeant he was unaware of this admission by [redacted] Sgt. [redacted] then instructed [redacted] to speak with the calling party, [redacted] which he did. [redacted] agreed to provide a statement to the officer. [redacted] was arrested and brought to the police station. During the processing procedure Sgt. [redacted] asked [redacted] to communicate to [redacted] that he needed to contact DCYF about the incident because the assault took place in the presence of [redacted] and [redacted] child. It is unclear if this was relayed to [redacted].

[redacted] spoke with [redacted] to determine why he originally was not going to make an arrest. He told the Lieutenant he didn't remember hearing and acknowledging the broadcast about the female assaulting the male. She also asked if he thought probable cause existed for an arrest after being told by [redacted] that she assaulted [redacted] Ptl. [redacted] first didn't respond, then said "He didn't have an injury." When asked if a cooperative or injured victim was a necessity to make an arrest in a Domestic Violence investigation, [redacted] just stared at the Lieutenant and at a paper in his hand. He eventually told her that [redacted] told him to conclude the investigation as a Suppressed Disturbance.

[redacted] played NICE recordings and questioned [redacted] further to determine if [redacted] spoke with [redacted] told her [redacted] did not speak to [redacted] and [redacted] did not tell [redacted] that [redacted] admitted to assaulting [redacted] did not provide and answer to [redacted] inquiry into whether [redacted] told him to conclude the case as an arrest or if he himself came to that conclusion. In [redacted] Officer Report he

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states he made the determination not to arrest based on [redacted], having no visible injuries and his lack of co-operation. He did not explain why he did not attempt to locate and interview [redacted] later told OPS that [redacted] did not seek his advice on how to handle the call.

[redacted] has had training and experience with Domestic Violence cases in the past. This was not a complex incident requiring advanced investigative skills. The information from dispatch that a caller witnessed [redacted] assaulting [redacted] should have prompted Ptl. [redacted] to either speak to the caller or ask Ptl. [redacted] to speak to the caller. In addition, [redacted] admission that she assaulted [redacted] was probable cause to arrest her. It should be noted that Ptl. [redacted] handled a verbal disturbance between these same individuals on 12-2-15. That incident was documented in a Suppressed Disturbance report (15-4528-OF), [redacted] has a first name of [redacted] in the involved screen and [redacted] in the narrative. An arrest should have been the desired conclusion in this most recent incident in order to decrease the likelihood of repeated issues and calls for service involving [redacted]

[redacted] inability or unwillingness to answer Lt. [redacted] is also a concern. As his comment that [redacted] told him carry the incident as a Suppressed Disturbance although [redacted] didn't speak to both involved parties; and then stating in his Officer Report that he made this conclusion himself.

Conclusion:

General Order #2011-04 Code of Conduct Rules and Regulations 1.14 A. Neglect of Duty: An officer shall take suitable and appropriate police action within the City of East Providence: upon becoming aware that a crime is occurring, is about to occur or has occurred; or a public disorder is taking place; or any other incident requiring police attention is taking place, is about to take place, or has taken place.

General Order #2011-04 Code of Conduct Rules and Regulations 1.15 A. Incompetence: A member shall maintain sufficient competency to perform his duty and to assume responsibilities of his/her position.

2. Incompetence includes but is not limited to:

a. A lack of knowledge of the application of laws required to be enforced;

General Order #2011-04 Code of Conduct Rules and Regulations 1.6 A. Truthfulness: Consistent with the provisions of the Manual of Procedures, all members shall speak the truth at all times and under all circumstances while acting in an official capacity.

General Order #2011-04 Code of Conduct Rules and Regulations 1.12 A. Conduct Unbecoming: No member shall act in such a manner so as to cast the East Providence Police Department into disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department or the individual member.

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.14 A. Neglect of Duty: **Sustained.**

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.15 A. Incompetence: **Sustained.**

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.6 A. Truthfulness: **Sustained.**

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.12 A. Conduct Unbecoming: **Sustained.**

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-25-IA

Entered: 12/10/2015 @ 0910 Entry ID: 8566
 Modified: 12/11/2015 @ 0936 Modified ID: 8566

On 12-4-15 Lt. Fournier instructed me to review Officer Reports and reports regarding two incidents that was involved in while off duty on 12-1-15 in

is prepared by He states that on 12-1-15 at 01:56 he was sent to for a vandalism report. When he arrived he met and

is in the process of a divorce from and they have a child in common. formerly lived with in the apartment but moved out "a few" months prior, still has keys to the apartment and has "equal access." occasionally stops by the apartment.

and had been dating for "a few days" and he and I have known each other since childhood. On 11-30-15 and left for Twin River at about 20:00. At about 20:30 received a text from containing a picture of a used condom in a trash can in the apartment. In the message called a "whore" and indicated he hoped she "will get hit by a truck." indicated he was at the apartment and wasn't happy that she was sleeping with Apparently saw car in the apartment complex parking lot the day before.

received a text from at about the same time, did, saying "Fuck you for sleeping with my wife." asked him if he was at the apartment and replied "What if I am? It's MY apartment." When and returned to the apartment all four tires on vehicle were flattened from punctures in the side wall. vehicle is a 2006 Mustang, it's registered to his father.

told that he was not interested in pressing charges on however, report indicates though was at the apartment that evening, there were no witnesses to the vandalism and made no references to the vandalism in his texts. and provided hand written statements about the incident and photos of the Mustang were taken by a Sergeant.

Later that same morning, at 07:05, responded back to the apartment and met with and I for a report of a disturbance. Dispatch advised the officers responding that had just left the scene.

told the officers that about ten minutes prior to their arrival, entered the apartment using a key that he has, entered a bedroom where and were sleeping, removed the blanket from the bed, and video tapped them in the bed (they were both apparently naked at the time). yelled at to get out of "his" apartment. stated during this ordeal, "put his hands around neck." She said took her cell phone and she tried to get it back from him, and that she and "got physical" and he would not give her phone back. She further said that had stolen an Ipad and divorce papers when he was in the apartment the previous night.

later responded to the and spoke with He showed the video he filmed to the officer but the video stops after he is seen pulling the covers off the bed and yelling at to get out of his apartment. was charged with Domestic Disorderly Conduct and misdemeanor Larceny.

At about 12:59 phoned to make him aware of these incidents. told him he was concerned about the footage had of he and in bed naked. instructed him to prepare an Officer Report about the incidents when he returned to work. In his report does not indicate that there were two separate incidents requiring to respond to the residence twice, he indicates that it was one incident. He also states that was charged with "Domestic Aggravated Assault and Domestic Larceny Under

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\$1500."

It is not known how much of the divorce situation was known by when he began to date a few days before these incidents. What is clear though, is that knew that had been in the apartment on 11-30-15 while and were out for the evening, and that had keys to the apartment. He also knew that suspected that he was sleeping with and that was not happy about this.

When and returned to the apartment they discovered all four tires on car had been slashed and items were stolen from the apartment. The were called and these events were reported. still decided to remain in the apartment overnight, knowing that suspected he was sleeping with and knowing that had keys to the apartment. He explained to later that day that he decided to stay with because his vehicle was inoperable and she was too intoxicated to drive him home. However, he should have made other arrangements to leave the apartment. decision to remain in the apartment resulted in an event that led to filming him in an uncompromising situation, a disturbance between all three parties, and a second response by the . When later documenting the situation as his immediate supervisor instructed, tried to minimize the events by indicating there was one response from

error in judgement is especially troubling because on 11-23-15 he was interviewed by Lt. Fournier and me at the OPS. He was advised he was being investigated for Workplace Harassment, Civility, and Conduct Unbecoming. At the conclusion of the interview we made it abundantly clear to him that his conduct, on duty and off duty, is a direct reflection of our Department and himself. We spelled out to him that this is especially important to remember during his probationary period. The result of that investigation had not been reached when these two incidents took place. After the first incident which prompted a response, should have ensured that he did not put himself in a situation to have respond again, especially less than six hours later.

Even though this incident is not being fully investigated by the OPS, it illustrates the kind of judgement that has used as revealed through other OPS investigations.

Sgt. Bruce W. Atwell

East Providence Police Department

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 15-25-IA

Entered: 12/10/2015 @ 0910 Entry ID: 8566
Modified: 12/11/2015 @ 0936 Modified ID: 8566

**East Providence Police Department
Investigative Report**

Page: 1
02/18/2016

Case #: 16-1-IA

Date/Time Reported: 01/05/2016 @ 1210
 Report Date/Time: 01/05/2016 @ 1210
 Occurred Between: 01/04/2016 @ 2330
 And: 01/04/2016 @ 2355
 Complaint Type: Department Rules
 Disposition: Sustained

Reporting Officer: SERGEANT Bruce Atwell - 8566

Signature: _____

Assisting Officer: LIEUTENANT Craig Fournier - 2141

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Highway/Road/Alley/Street Zone: UNKNOWN

1	CONDUCT UNBECOMING			
	OCCURRED: 01/04/2016		2330	

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	PARELLA, CHRISTOPHER J 750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: EAST PROVIDENCE POLICE DE 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7600 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: Employer	M	W	00	NOT AVAIL	401-435-7600
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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	750 WATERMAN AVE EAST PROVIDENCE RI 02914 DOB: NOT AVAIL EMPLOYER: CITY OF EP 401-435-7600 CONTACT INFORMATION: Home Phone (Primary) 401-435-7605 Work Phone (Primary) 401-435-7600 Work Phone (Primary) 401-435-7605					NOT AVAIL	
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2	WARWICK RI 02886 DOB: NOT AVAIL EMPLOYER:						
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East Providence Police Department
Investigative Report

Page: 2
02/18/2016

Case #: 16-1-IA

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
3	WARWICK RI 02886 DOB: NOT AVAIL EMPLOYER: I	OTHER					
4	WARWICK RI 02886 DOB:	OTHER					

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	CONTACT INFORMATION: Home Phone (Primary) BODY: NOT AVAIL. DOB: NOT AVAIL LICENSE NUMBER: NOT AVAIL.					
					COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC	

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 16-1-IA

Entered: 01/07/2016 @ 1254
Modified: 01/07/2016 @ 1259Entry ID: 8566
Modified ID: 8566**OFFICER WITNESS STATEMENT**

On 01-05-16 at about 08:00 Lt. Fournier and I learned that _____ was stopped while driving in Warwick at about 23:30 on 1-4-16, and that he may have been intoxicated at the time. _____ is beginning an eight day suspension on 1-6-16 for previous violations of departmental policies and his probation was extended one year as a result of these violations.

On 1-4-16 at 23:47 _____ received a call on the OIC line from _____ the purpose of the call, according to _____ was to give a "courtesy call" about stopping Pt. _____, who had been "driving 85 mph hour, all over the road" on Route 2. _____ said the actual vehicle stop occurred in East Greenwich because _____ "didn't stop right away." _____ said the East Greenwich officers let _____ girlfriend drive away (she was a passenger in the vehicle at that time).

_____ described _____ attitude as careless, and said he was "drunk, driving 85 miles per hour coming from Twin River." _____ states he planned on issuing _____ a speeding ticket. He also said again that _____ was traveling 85 miles per hour, in the break down lane, on a 45 mile per hour road. "He reeked of alcohol, was clearly drunk, to the point that he couldn't function, couldn't speak." _____ went on to say that the East Greenwich police had _____ girlfriend drive because she was sober. At the end of the ca _____ said, "He could've killed me...he was all over...he definitely would have killed somebody tonight for sure...very alarming behavior."

At 23:58 _____ called the East Greenwich police and spoke to the _____ explained that his officers were only in a back-up role for the Warwick police stop. He said his officer told him that _____ was driving at a high rate of speed, and might have had "a couple to drink" and that the "girlfriend said that he was on suspension." The officers allowed the "girlfriend" to drive him home. _____ advised _____ that he would be contacting his Captain and that someone from the Officer of Professional Standards may be in touch with the East Greenwich officers.

Warwick Police

The Warwick Police call screen indicates the location of the violation was 1200 Quaker Ln. and 1000 Division St. The vehicle was RI registration _____, a 2006 Ford Mustang with _____ is listed as the operator and _____ as an involved party. The stop occurred at 23:30 and Pt _____ is cleared at 23:59. A second Warwick officer, I _____, arrived at 23:37 and cleared at 23:59.

The narrative entries state "Red Mustang" and "P12//Stop was in EG, EGPD Handling.

East Greenwich

The East Greenwich Police call screen indicates the stop occurred on South County Trail @Division St. / Road - South County Trl. It shows _____: arriving at 23:35 and clearing at 23:42. _____ arrived at 23:35 and cleared at 23:42. The only narrative entry is "Assisting Warwick with a car stop."

By the time Lt. Fournier and I were told about this incident word had spread about it throughout the department. We learned that _____ received a phone call from _____ during the car stop but _____ did not answer that

NARRATIVE FOR SERGEANT BRUCE W ATWELL - 8566

Ref: 16-1-IA

Entered: 01/07/2016 @ 1254 Entry ID: 8566
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call. He returned the missed call on 1-5-16. We spoke with _____ about this in OPS.

He told us that the officers who conducted the motor vehicle stop were not happy with _____ because _____ was sober and it made no sense to them why _____ wasn't driving. _____ also said that _____ has a reputation for having a drinking problem and for driving drunk. He provided me with _____ phone number so that I could call him.

_____ told me that he had no contact with _____ during the car stop but that _____ told him that _____ was driving 85 miles per hour on Route 2 and had been drinking. He said _____ told him that _____ was not apologetic at all. _____ never got out of the vehicle, when the East Greenwich officers had him switch places with _____ climbed into the front passenger seat without exiting the vehicle. He said _____ spoke with _____ outside of the Mustang and then drove the vehicle from the scene.

Statement:

On 1-06-16 Lt. Fournier left a message with _____ telling him that he needed a badge and department keys that _____ still had in his possession. _____ called back that afternoon and said that he was on the way to the OPS with those items. Lt. Fournier and I decided to interview and obtain a statement from _____ when he arrived. He arrived at about 13:50 and turned the badge and keys over to the lieutenant and then signed Bill of Rights forms. He then offered a statement.

_____ states he was stopped by a Warwick officer on 1-4-16 for "traveling 80 mph in a 35 mph zone on Route 2" and that by the time he stopped his vehicle, he was in East Greenwich. _____ said he was asked by the officer why he was driving so fast and he replied because he had just exited the highway. He said the officer asked him if he had been drinking and _____ told the officer he had been drinking. _____ states that he had five drinks while at Twin River that evening, four beers which have an alcoholic content of 10 % and one rum and Coke. He also said he had not eaten that night. Two East Greenwich officers and one more Warwick officer arrived at the stop. The officers were told by both _____ and his girlfriend _____ who was a passenger in the car, that _____ was an East Providence police officer who was on suspension.

An officer asked _____ why _____ wasn't driving and he answered that he "thought he was okay to drive." He said that one of the East Greenwich officers recognized him from stopping him several years prior. _____ was instructed to move to the front passenger seat and then _____ drove from there.

_____ concludes his statement by saying that "I didn't let anyone at the East Providence Police know about this incident because I was hoping that it wouldn't get reported because I know I'm in a lot of trouble." It should be noted that before _____ began serving his suspension he was instructed by Lt. Fournier to report to the East Providence OIC any negative contacts he has with any police department.

Statement:

On 1-7-16 Lt. Fournier and I met with _____ and _____ at the Warwick Police Department. _____ told us that on 1-4-16 at about 23:00 he was on a mobile radar post in the area of the Wendy's on Quaker Lane. He was traveling north bound and a red Mustang was traveling south in the high speed lane traveling 85 and 87 miles per hour according to _____ radar (_____ later told _____ that the area is zoned 45 mph). _____ stated he turned his cruiser around intending to stop the Mustang and the Mustang continued traveling approximately 80 mph as it drifted into the break down lane and then "almost fish tailed out of control near the 95 over pass." _____ eventually stopped the vehicle near the intersection of Quaker Lane and Division Rd. in East Greenwich.

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Entered: 01/07/2016 @ 1254
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He said the operator, later identified as _____, only opened his window three inches. _____ told him to shut the vehicle off, instead, _____ put the vehicle in drive. _____ told him to put the car in park and shut it off and _____ complied. When asked why he was driving so fast _____ replied that he had just exited the highway (which is what he told Lt. Fournier and me in his statement). _____ told us that _____ was definitely not on the highway when he saw him initially. _____ was told by _____ that he and his passenger (_____) were coming from Twin River, and when _____ handed his license to _____ he told him he was a police officer. _____ asked him for credentials and _____ looked in his wallet and then his center console and then told _____ that his credentials were left in his locker. _____ then obtained an ID from _____

_____ told us that _____ eyes were red and bloodshot, he wasn't making eye contact with him, and wasn't concerned, "considering he almost just crashed his car. I believed that the driver had some level of impairment. If this stop had occurred in Warwick I would have conducted an Operating Under the Influence investigation."

_____ brought the IDs back to his vehicle and conducted checks on the vehicle and occupants. At that time two East Greenwich officers arrived. They decided to talk to _____ "since the driver was reluctant to speak to us." They spoke with _____ away from _____, _____ told them that _____ had been drinking and that they had been at Twin River. She also said that _____ is a suspended East Providence police officer. She told the officers that she had not been drinking and apparently she showed no signs that she had been.

_____ went back to his cruiser and phoned the East Providence Police OIC, _____, During the call he asked about _____ status with the department and _____ "was asking about the driver, if he was a danger. I told him I thought he was, he almost crashed." While _____ was on the phone with Lt. _____ the East Greenwich officers continued speaking with _____. They determined that she was not impaired, the officer had her walk back to the Mustang and get into the driver seat. _____ switched to the passenger seat by climbing over the center console, he never exited the car.

Summary:

On 1-4-16 at 23:30 _____ was operating a 2006 Ford Mustang registered to his father at 85, 87, and then approximately 80 miles per hour on Route 2 in Warwick as evidenced by a radar unit in _____ cruiser. _____ told the officer, and later Lt. Fournier and me, that he had just exited the highway. According to _____ this is not true. It is not known why _____ said this to all of us. _____ almost lost control of his vehicle while traveling south on Route 2 towards East Greenwich.

When stopped in East Greenwich, _____ told _____ that he had been drinking. He opened his driver side window just a few inches, possibly to prevent fumes from his breath being detected by _____ (he said in his statement that _____ may have asked him if he had been drinking "maybe because of the speed I was driving, maybe because it was on my breath.") He later made a statement indicating that he drank four beers containing 10% alcohol and one rum and Coke at Twin River that evening.

_____ called our OIC, _____, during the stop and characterized his driving as being "all over the road" on Route 2. _____ said the actual vehicle stop occurred in East Greenwich because _____ "didn't stop right away." _____ further said in the call that _____ "reeked of alcohol, was clearly drunk, to the point that he couldn't function, couldn't speak." At the end of the call _____ said, "He could've killed me...he was all over...he definitely would have killed somebody tonight for sure...very alarming behavior." _____ told Lt. Fournier and me that had the stop occurred in Warwick, he would have conducted a Driving Under the Influence investigation.

It should be noted that at the time of this incident, _____ was on a day off which was two days prior to serving

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an eight day suspension for three other incidents. While investigating those incidents, Lt. Fournier and I cautioned [redacted] about behavior both on and off duty. When [redacted] was served with his charging document for the suspension, Chief Parella again cautioned him about his behavior both on and off duty.

Finally, [redacted] purposely did not make anyone from our department aware of this incident.

General Order #2011-04 Code of Conduct Rules and Regulations 1.12 A. Conduct Unbecoming: No member shall act in such a manner so as to cast the East Providence Police Department into disrepute, or reflect discredit upon the member as an agent of the East Providence Police Department, or which impairs the operation or efficiency of the East Providence Police Department or the individual member.

Violation of General Order #2011-04 Code of Conduct Rules and Regulations 1.12 A. Conduct Unbecoming: **Sustained.**

SERGEANT Bruce W Atwell - 8566 01/07/2016