

LAW ENFORCEMENT OFFICIALS PROSECUTED (MASTER LIST)

DATE COMP/IND	NAME	DEPT.	CHARGE	VERDICT	SENTENCE	DOCKET NO.	STILL ON FORCE Y/N
2003	CLIFFORD, Gary	Newbury	Child Rape	GUILTY	7-9 yrs. state prison	0377CR00834 Suffolk prosecuted	N
2004	ELIAS, George	Probation	Consp. Auto Fraud	GUILTY	2.5 hoc	0477CR01246	
2004	PEACHEY, Robert	Middleton	Domestic A&B	NOT GUILTY		0436002585	Y
2004	SIDERIS, George	Peabody	A&B over 60	INCOMP		0477CR01673	N
2004	MORRILL, Douglas	Newburyport Court Officer	Sexual Assault	GUILTY	2-3 yrs. H of C, probation	0477CR00053	N
2004	CONNELLY, David	Salem	Harassment (Judge)	ADMIT SF	CWOF 2 years	0486CR000035	N
2006	THOMPSON, Scott	Essex Sheriff	Threats (Sheriff)	GUILTY PLEA	2 yrs. Suspended, 3 yrs. probation	0613CR004164	N (resigned)
2007	O'NEIL, Robert	Rockport	A&B DW	GUILTY PLEA	3 yrs. Probation	0777CR00521	N
2008	MERRY, Stuart	Beverly	MV Homicide	GUILTY	Granted new trial	0786CR002004 Suffolk prosecuted	N
2008	SLEDGE, Kevin	Lawrence	Rape	GUILTY	10-12 yrs. State prison	0877CR01497	N
2008	BLACHE, David	Methuen	Rape	GUILTY	Appeals Overturned, Nol Pros., victim couldn't go through 2 nd trial	0177CR00521	N
2009	BARBER, Garrett	Georgetown	Domestic A&B, Witness Intim.	DWO- Victim (marital priv) DISMISSED		0922CR000148	N
2010	MACKINNON, David	Haverhill	Domestic A&B	DISMISSED		1122CR000210	Y
2010	RUANO, Giovanni	Lynn	A&B, Witness Intim.	GUILTY	Sentence stayed pending appeal, overturned	1177CR00503	N
2010	FRASER, Daron	Lawrence	A&B on pregnant woman	GUILTY	1 yr. probation, batter's program	1038CR001560	Y

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2010	RILEY, William	Salem	OUI, steroids, assault	NOT GUILTY		1036CR003546	Y
2011	MONTANEZ, Efrain	MSP	A&B, soliciting prostitution	CWOF	2 yrs. probation, mental health evaluation	1113CR006218	N
2011	MCCARTHY, Thomas	MSP	Failure to stop	CWOF	6 mo. Probation	1113CR005808	Y
2012			Neg. operation	CWOF	6 mo. Probation	1213CR000276	
2011	MCCARTHY, Daniel	Newburyport	Perjury	NOT GUILTY		1177CR00802	N
2011	L'ESPERANCE, David	Salisbury (Chief)	Larceny	NOT GUILTY		1186CR001160 Suffolk prosecuted	N
2011	VITALE, David	Trial Court	Misleading police invest.	GUILTY	2 yrs. Probation	1186CR001961	
2012	TARDIFF, Shawn	Methuen	A&B, destruction of property	CWOF – dismissed in 2015	3 yrs. Probation	1222CR001396	Y
2012	SWALLOW, John	Manchester-by-the-Sea	Domestic A&B, firearms	GUILTY PLEA	2 yrs., 6 mo. TBS	1236CR003502	N
			Firearm, Intox licensee to carry	DISMISSED		1236CR003623	
2012	WOJICK, Frederick	Peabody	Indecent A&B	NOT GUILTY		1277CR001427	N
2012	DESMOND, Matthew	Salem	Rape, Indecent A&B	NOT GUILTY		1277CR00785	Y
2013	PELLOT, Victor	Haverhill	Stalking	CWOF	4 yrs. Probation	1322CR000404	N (not on roster)
			CORI, Disseminate	GUILTY	1 yr. H of C, 4 yrs. suspended	1322CR002111	
2014	WAYNE, Eric	Lowell	OUI/MVH	GUILTY PLEA	4 yrs. State prison	1477CR001179	N (resigned)
2014	JENKINS, DALE	MSP	OUI causing SBI	GUILTY	Neg. Op., 2 yrs. Probation	1477CR001424 Worcester prosecuted	Y

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2014	BELLARD, Jermaine	Everett	A&B on child with injury	NOT GUILTY (Jury)		1413CR003125	?
2015	NIKAS, Peter	Ipswich	A&B, Wit. intim., dest. Property	GUILTY PLEA	2 yrs. Probation	1440CR000117	N
2015	MARTINEZ, Jose	Trial Court	Rape, Witness Intim.	NOT GUILTY	Except w/h evidence	1677CR00022 Suffolk prosecuted	
2015	THOMAS, Michael	Ipswich	Larceny over \$250	CWOF	Ordered to pay \$6000 restitution	1538CR002312 Transferred to Haverhill	N
2015	WEAFER, Kevin	Beverly	OUI 2 nd , F/A while intoxicated	CWOF	2 yrs., 90 day LOL, D/A Free	1522CR001553	N
2015	GARCIA, Juan	Lowell	Leaving scene/prop. Dam	DISMISSED		1518CR001452	Y
2015	DOWNS, Thomas	MSP	A&B HHM, strangulation	Guilty AB		1577CR00560	N
2016	DELVALLE, Curtis	Middlesex Sheriff	OUI, open container	CWOF	1 yr., 45 LOL	1686CR000834	
2016	HEAPHY, Steffan Michael	Essex Sheriff	AB HHM, ABDW, F/A intox., OUI, Neg. Op	DWO AND CWOF – tx with VA		1636CR002690	Y
2016	MORI, Michael	Everett	A&B HHM, A&N, pregnant, strangulation	DWO – victim would not testify		1622CR001207	?
2016	BUTLER, Brian	Salem	Rape, indecent A&B	GUILTY – indecent	3.5 -5 yrs. State prison	1677CR00547	N
2017	FALASCA, Kenneth	Trial Court	OUI	CWOF	1 yr., 45 days LOL	1886CR001300	
2017	SHINNICK, James	Lynn	OUI	CWOF	1 yr., 55 days LOL	1786CR001239	Y
2018	BERARDINO, Stephen	Everett	Criminal Harassment	PENDING		1886CR001080	N (resigned)
2018	VANSTEENBURG, Paul	Saugus	OUI, F/A intoxicated	NOT GUILTY		1836CR002391	Y (on roster)

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2019	O'BRIEN, Brendan	Peabody	Domestic AB strang, 209A	PENDING		1936CR2603, 2168, 2103	term
2019	VIEIRA, Carlos	Lawrence	Rape, Indecent A&B under 14	PENDING		1977CR000116	Y (unpaid leave)
2019	AYOUB, Elie	Methuen	Domestic AB Strangulation	PENDING		1918CR04549	Not on roster
2019	MARZERKE, Curtis	CW Corrections Officer	209A violation	CWOF 1 yr.	Anger management, Mental health eval/treatment, abide by RO.	1918CR00249	
2019	TORRES, Quincy	Lawrence	ABDW	DLOP		1918CR03720	Not a police officer/civilian worker
2019	BISHOP, Robert, III	Newburyport (Dispatcher)	Larceny under \$1200	GC	Probation 1 year, restitution, sa/nc w/vic	1922CR00628	
2019	SOUSA, James	CW Corrections Officer	OUI, Reckless Op, Fail to Stop	Guilty – Reckless Op, NG OUI	12 months probation, safe drivers course, 60 days lol. (notice of appeal filed)	1818CR06162	
2019	CARTER, Stephen	Essex Sheriff	OUI, open container, marked lanes	GUILTY	Probation 18 months, safe drivers course, 90 day lol	1222CR0514	
2020	TAYLOR, Dereke	Suffolk Sheriff	Domestic AB Strangulation Intim. Wit.	DLOP (no victim)		2013CR00321	
2020	COPPINGER, Matthew	Lynn	AB	CWOF 2 yrs	VA counseling, no employment in LE	2136CR0257	Resigned
2020	FRENCH, Adam	Danvers	OUI	PENDING		2022CR00060	Y (paid leave)
2020	MOODY, Robert	Lawrence Sgt	Domestic AB	DISM	mar. priv.	2122CR00261	Y (susp)
2020	HENRIQUEZ, Jonathan	Lawrence	Domestic AB	PENDING		2022CR00261	Y (susp)
2020	LANNI, John, Jr.	Malden	A&B	PENDING		2086CR00582	
2021	HOLEY, Peter J.	Lynn	Domestic AB	PENDING		2136CR0172	Retired

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2021	SPENCE, Sydney L.	Corrections	OUI 2 nd /Marked lanes	PENDING		2186CR00133	?
2021	MCGRATH, John F.	MSP retired	Domestic AB	PENDING		2118CR00488	Retired
2021	CIPOLETTA Randy J., Jr.,	Peabody	Domestic AB Improper stor. FA	DLOP CWOFF		2086CR000578	Unpd susp 30 days, susp 1 yr
2022	GONZALEZ, lancy	Salem	Forgery Of Bank Note, Larceny Over \$1200 By Single Scheme, and Uttering False Order For Money	PENDING		2236CR000202	Admin leave



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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that the following officer, who completed a report and/or is an anticipated witness in the below-identified case, is being prosecuted in connection with the following case:

2019 AYOUB, Elie Methuen Domestic AB Strangulation PENDING
1918CR04549 Not on police roster

The docket is available on MassCourts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court's discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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Commonwealth v. _____ **Docket no.** _____

Defense counsel _____

Date received _____



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2019 BISHOP, Robert, III Newburyport (Dispatcher) Larceny under \$1200 GC
 Probation 1 year, restitution, sa/nc w/vic 1922CR00628

The docket is available on MassCourts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court's discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that Peabody Police Officer Randy J. Cipoletta, Jr., who prepared a report or is an anticipated witness in this case, was prosecuted in connection with the following case:

Commonwealth v. Cipoletta 2086CR000578

In the case, Cipoletta admitted to sufficient facts on a charge of improper storage of a firearm.

The docket is available on Mass Courts. This information constitutes Criminal Offender Record Information, G.L. c.6, § 167, subject to the protections set forth in G.L. c. 6, § 178. This disclosure is not a concession that the information is admissible. For the purpose of impeachment, a conviction “means a judgment that conclusively establishes guilt after a finding, verdict, or plea of guilty.” *Forcier v. Hopkins*, 329 Mass. 668, 670 (1953), and cases cited. Thus, a case that is continued without a finding, with or without an admission, is not a conviction and may not be used for impeachment. See *Commonwealth v. Pon*, 469 Mass. 296, 298 (2014); *Commonwealth v. Norwell*, 423 Mass. 725, 726 (1996); *Commonwealth v. Jackson*, 45 Mass. App. Ct. 666, 670 (1998). Any information concerning his resultant suspension from the force should be sought via summons under Mass. R. Crim. P. 17.

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DISCLOSURE RE: FORMER MSP TROOPER PAUL O. CONNEELY # 3094

This Office has learned the following information concerning the above individual, who prepared a report and/or is an anticipated witness in this case:

An internal affairs investigation sustained charges that former Trooper Conneely, inter alia, 1) used “inappropriate force” during a stop and arrest on February 22, 2019, in particular, a kick to the head of a prone and handcuffed suspect; 2) exhibited “poor weapon handling skills” by “causing the muzzle of his firearm to be pointed at the head and upper body of a prone handcuffed suspect”; and 3) failed to complete a use of force report. See Attached charge sheet and report excerpt.

Tpr. Conneely retired while the IA case was pending and, as a result, received a dishonorable discharge on June 8, 2021. See Attached Personnel order.

In connection with this incident Tpr. Conneely was indicted for ABDW (to wit, shod foot). Suffolk Superior Court no. 2184CR00606

This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. See id. at 652

Additional records in the possession of the Massachusetts State Police related to this internal affairs investigation may be sought from them via a Mass. R. Crim P. 17 summons. Commonwealth v. Wanis, 426 Mass. 639 (1998)(detailing mechanism and showing required to obtain police internal affairs records).

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Defense counsel _____



Department of State Police

PERSONNEL ORDER

Issue Date: Tuesday, June 08, 2021	Number: 21PER349
Subject: RETIREMENT	

In accordance with M. G. L. and the Rules and Regulations governing the Massachusetts State Police, the below-named officer is Dishonorably Discharged by reason of retirement under the provisions of Chapter 32, Section 26, Subdivision 2, Paragraph(a), Clause(i) and Section 94 of the General Laws, as amended, effective as of the close of business on Tuesday, June 08, 2021:

CONNELY, PAUL O.

(ID # 3094) Trooper

OFFICIAL:

CHRISTOPHER S. MASON
Colonel/Superintendent

CHARGE SHEET

Charge I

Violation of Article 5.8 of the Rules and Regulations for the governance of the Department of State Police, to wit: **Unsatisfactory Performance**

Specification I

In that Trooper Paul O. Conneely, #3094, Massachusetts State Police, Division of Field Services, SP-Boston (H-4), on or about February 22, 2019, in the city of Boston, did demonstrate an unwillingness or inability to perform an assigned task; and/or failed to conform to work standards established for the member's rank, title, or position; and/or failed to take appropriate action on the occasion of a crime, disorder, or other condition deserving State Police attention. This occurred when Trooper Conneely exhibited poor weapon-handling skills during the arrest of a subject. This action is in direct violation of Article 5.8.2. This is a Class "A" violation. **(A)**

Specification II

In that Trooper Paul O. Conneely, #3094, Massachusetts State Police, Division of Field Services, SP-Boston (H-4), on or about February 22, 2019, in the city of Boston, did demonstrate an unwillingness or inability to perform an assigned task; and/or failed to conform to work standards established for the member's rank, title, or position; and/or failed to take appropriate action on the occasion of a crime, disorder, or other condition deserving State Police attention. This occurred when Trooper Conneely used a level of force that was not objectively reasonable during the arrest of a subject. This action is in direct violation of Article 5.8.2. This is a Class "A" violation. **(A)**

Charge II

Violation of Article 5.1 of the Rules and Regulations for the governance of the Department of State Police, to wit: **Violation of Rules**

Specification I

Violation of Policy and Procedure UOF-03 of the written directives for the governance of the Department of State Police, to wit: **Reports**

In that Trooper Paul O. Conneely, #3094, Massachusetts State Police, Division of Field Services, SP-Boston, on or about February 22, 2019, in the city of Boston, did commit an act which constituted a violation of Massachusetts State Police Policy and Procedure. This occurred when Trooper Conneely failed to submit a SP 376 Use of Force Report subsequent to a reportable use of force incident. This action is in direct violation of Policy and Procedure UOF-03, and therefore Article 5.1. This is a second offense Class "D" violation. **(D)**



RECOMMENDATIONS

138. After a thorough and comprehensive investigation and a review of all available information contained within this report, I respectfully request that Internal Affairs Investigation 2019-0011 be closed with the following findings:

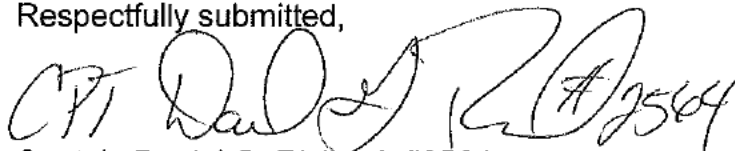
A. Regarding the complaint that Trooper Paul Conneely, #3094, during the stop and arrest of [REDACTED] in the city of Boston on Friday, February 22, 2019, operated his State Police cruiser to make deliberate contact with a suspect vehicle to affect a traffic stop in a manner contrary to Massachusetts State Police Policy and Procedure TRF-04, there is insufficient evidence to prove or disprove the complaint. **NOT SUSTAINED**

B. Trooper Paul Conneely, #3094, during the stop and arrest of [REDACTED] in the city of Boston on Friday, February 22, 2019, exhibited poor weapon-handling skills, causing the muzzle of his firearm to be pointed at the head and upper body of a prone handcuffed subject, the complaint is supported by sufficient evidence to prove employee misconduct. **SUSTAINED**

C. Regarding the complaint Trooper Paul Conneely, #3094, during the stop and arrest of [REDACTED] in the city of Boston on Friday, February 22, 2019, utilized an inappropriate force by delivering a kick to the head of a compliant, handcuffed subject lying face down in the roadway, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED**

D. Regarding the complaint Trooper Paul Conneely, #3094, did not complete and submit a Use Of Force Report as required by Massachusetts State Police Policy and Procedure UOF-03 for the force he employed, specifically a kick to the head of a prone and handcuffed subject, during the arrest of [REDACTED] in the city of Boston on Friday, February 22, 2019, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "CPT Daniel G. Richard #2564". The signature is written in a cursive, somewhat stylized font.

Captain Daniel G. Richard, #2564
Massachusetts State Police
Office of Professional Integrity and Accountability
Commanding



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July 28, 2021

DISCLOSURE RE: FORMER LYNN POLICE OFFICER MATTHEW COPPINGER

Former Lynn Police Officer Matthew Coppinger, who prepared report or is a possible witness in this case, was accused in an unrelated case of using excessive force in the course of processing an arrestee in the Lynn Police station cell block on June 16, 2020. On June 25, 2020, while an internal affairs investigation into the matter was ongoing, Coppinger resigned. The arrestee’s case, Lynn District Court no. 2013CR1398, has since been nol prossed.

An internal affairs investigation concluded that Coppinger used excessive force against the arrestee and did not act consistently with the Lynn Police Department’s Use of Force Policy. It also concluded that Coppinger violated reporting requirements by not including in his supplemental report certain applications of force by him on the arrestee. This Office referred the matter to a special prosecutor, Daniel Bennett, for purposes of an independent review to evaluate possible criminal charges.

As a result of that review, the matter was submitted to a clerk magistrate, and a charge of assault and battery issued against the former officer. Commonwealth vs. Coppinger, 2136CR000257. The case concluded with a 2 year CWOFF on July 27, 2021. The docket is available on Mass Courts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court’s discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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DISCLOSURE RE: FORMER LYNN POLICE OFFICER MATTHEW COPPINGER

Former Lynn Police Officer Matthew Coppinger, who prepared report or is a possible witness in this case, was accused in an unrelated case of using excessive force in the course of processing an arrestee in the Lynn Police station cell block on June 16, 2020. On June 25, 2020, while an internal affairs investigation into the matter was ongoing, Coppinger resigned. The arrestee’s case, Lynn District Court no. 2013CR1398, has since been nol prossed.

This Office is in possession of materials pertaining to the the internal affairs investigation into the excessive force allegation, and pertaining to whether Coppinger violated reporting requirements by not including in his supplemental report certain applications of force by him on the arrestee. This Office referred the matter to a special prosecutor, Daniel Bennett, for purposes of an independent review to evaluate possible criminal charges.

As a result of that review, the matter was submitted to a clerk magistrate, and a charge of assault and battery issued against the former officer. Commonwealth vs. Coppinger, 2136CR000257. The docket is available on Mass Courts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court’s discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

The internal affairs materials contain information implicating privacy and confidentiality concerns including but not limited to: criminal offender record information concerning unrelated defendants, G.L. c. 6, § 167, et. seq.; information identifying cooperating witnesses, G.L. c. 4 § 7 c. 26 (f); allegations of police misconduct that were not sustained, G.L. c. 4 § 7, cl. 26 (c); and material that would prejudice an ongoing criminal proceeding.

In view of these confidentiality concerns and the ongoing criminal matter, the materials will be disclosed only upon a Court order. See Commonwealth v. Wanis, 426 Mass. 639 (1998)(detailing showing required to obtain police internal affairs records). In connection with any order of disclosure, the Commonwealth intends to seek an appropriate protective order pursuant to Mass. R. Crim. P. 14(a) (6).

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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that former MSP Trooper Thomas Downs, who prepared a report or is an anticipated witness in this case, was prosecuted in connection with the following case:

Commonwealth v. Downs 1577CR00560

The docket is available on Mass Courts. This information constitutes Criminal Offender Record Information, G.L. c.6, § 167, subject to the protections set forth in G.L. c. 6, § 178. This disclosure is not a concession that the information is admissible. Admissibility is a fact dependent inquiry in the Court discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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April 15, 2021

DISCLOSURE RE: MASSACHUSETTS STATE POLICE SERGEANT BRYAN ERICKSON

This Office has been informed by Massachusetts State Police Counsel of the following information concerning the above-named individual, who prepared a report and/or is an anticipated witness in this case:

On January 31, 2021 Sergeant Bryan W. Erickson #3251 was charged with the following criminal offenses in Exeter, New Hampshire:

- *Domestic Violence, Assault (Felony)*
- *Domestic Violence, Assault (Misdemeanor)*
- *Domestic Violence, Obstruct Report of Crime/Inj.*
- *Criminal Trespass*
- *Disobeying an Officer*
- *Reckless Operation*

See State v. Bryan Erickson Rockingham Superior Court 218-2021-CR-00119. The charges stem from an incident on January 29, 2020.

On that same date the alleged victim in this matter obtained an emergency order of protection against Sergeant Erickson, which was served to him in hand on January 31, 2021. The Department has also opened an internal affairs investigation into these allegations as well. Sergeant Erickson's duty status hearing was held on February 4, 2021. After hearing, Sergeant Erickson was suspended without pay.

Press reports indicate that he was indicted and held as dangerous.

https://www.unionleader.com/news/crime/trooper-from-groveland-to-be-arraigned-on-domestic-violence-charges/article_02f873f9-a179-54b7-adcd-ed0dc04bac49.html

https://www.unionleader.com/news/crime/judge-finds-state-trooper-a-danger-orders-he-remain-jailed-in-exeter-domestic-assault/article_b151c342-4a51-596a-98f6-283f0ae64c5e.html

This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641, 2020 WL 5360068 *7-8 (2020).

Additional records in the possession of the Massachusetts State Police may be sought via a Mass. R. Crim P. 17 summons, pursuant to the procedure outlined in Commonwealth v. Wanis, 426 Mass. 639 (1998)(detailing mechanism and showing required to obtain police internal affairs records).

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Pursuant to its obligation to disclose potential impeachment material, this Office discloses that the following officer, who completed a report and/or is an anticipated witness in the below-identified case, is being or has been criminally prosecuted in connection with the following case:

2020 FRENCH, Adam Danvers OUI PENDING 2022CR00060 On paid leave

The docket is available on MassCourts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court's discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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Commonwealth v. _____ **Docket no.** _____

Defense counsel _____

Date received _____



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE
DISTRICT ATTORNEY FOR THE ESSEX DISTRICT
SALEM NEWBURYPORT LAWRENCE

JONATHAN W. BLODGETT

Ten Federal Street
Salem, Massachusetts 01970

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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that Lawrence Police Officer Jonathan Henriquez, who completed a report and/or is an anticipated witness in the below -identified case, is being prosecuted in connection with the following case:

2020 HENRIQUEZ, Jonathan Lawrence Domestic AB 2022CR00261

The docket is available on MassCourts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. This disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court’s discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that former Lynn Police Lieutenant Peter J. Holey who prepared a report or is an anticipated witness in this case, was prosecuted in connection with the following case:

Commonwealth v. Holey 2136CR0172

The docket is available on Mass Courts. This information constitutes Criminal Offender Record Information, G.L. c.6, § 167, subject to the protections set forth in G.L. c. 6, § 178. This disclosure is not a concession that the information is admissible. Admissibility is a fact dependent inquiry in the Court discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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DISCLOSURE RE: CRIMINAL CONVICTION OF POLICE OFFICER OR TROOPER

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that the following Trooper, who prepared a report or is an anticipated witness in the below identified case, was prosecuted and convicted in the following case:

**2014 JENKINS, DALE MSP OUI causing SBI GUILTY Neg. Op., 2 yrs.
 Probation 1477CR00142 Worcester prosecuted**

This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. This disclosure is not a concession that the information is admissible. Admissibility is a fact dependent inquiry in the Court's discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that the following officer, who completed a report and/or is an anticipated witness in the below-identified case, is being prosecuted in connection with the following case:

2019 O'BRIEN, Brendan Peabody Domestic AB strang, 209A PENDING
 1936CR2603, 2168, 2103 terminated from police force

The docket is available on MassCourts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court's discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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DISCLOSURE RE: TROOPER ANDREW PATTERSON

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that the below Police Officer or Trooper, an anticipated witness in this case, was prosecuted in the following case:

1957CR002010 Commonwealth vs. Patterson, Andrew M. LEWD, WANTON & LASCIVIOUS CONDUCT c272 §53

The charge was dismissed on November 8, 2019. This office is in possession of police reports in the criminal matter and internal affairs records pertaining to the allegations that were the basis of the above criminal complaint. Dismissed criminal charges are generally not admissible. This Office nevertheless provides the information in an excess of caution under a broad reading of its obligation to disclose potential impeachment material.

The records themselves contain substantial information implicating privacy and confidentiality concerns including but not limited to:

- personal information concerning cooperating witnesses, G.L. c. 4 § 7 c. 26 (f);
- information implicating the privacy interests of third parties and Tpr. Patterson, see G.L. c. 4 § 7, cl 26 (c);

Because of this, and doubts concerning its relevance and materiality, the records themselves will be disclosed only upon an order issued pursuant to Mass. R. Crim P. 17 and Commonwealth v. Wanis, 426 Mass. 639 (1998)(detailing proper mechanism to obtain IA records) and pursuant to an appropriate protective order, Mass. R. Crim. P. 14(a)(6).

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Commonwealth v. _____ Docket no. _____

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Defense counsel



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DISCLOSURE RE: METHUEN POLICE OFFICER THOMAS TORRISI

This Office has been provided with information showing that

1. Officer Torrissi had a domestic violence order of protection issue against him in New Hampshire on August 27, 2019, No 673-2019-DV-00058. The order, which contains findings on the credibility of Off. Torrissi’s testimony, is attached.
2. Officer Torrissi has been criminally charged with domestic assault in connection with this incident. Rockingham Superior Court NO. 218-2020-CR-00963. A case summary as of March 25, 2021 is attached.

This information may constitute Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact dependent inquiry in the Court’s discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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Commonwealth v. _____ Docket no. _____

_____ Date received _____

Defense counsel

THE STATE OF NEW HAMPSHIRE

JUDICIAL BRANCH

Tenth Circuit-Family Division-Salem

Docket No. 673-2019-DV-00058

In the Matter of: and Thomas Torrisi

ORDER

The parties appeared before the court regarding Plaintiff's Domestic Violence Petition. She was self-represented. Defendant had counsel. Both parties testified. The court also reviewed police reports and Plaintiff's statement to Salem, NH police.

The reliable evidence disclosed the following set of circumstances. Plaintiff testified that she was in a bedroom-not one that the parties shared-watching television. Defendant entered the room and the parties engaged in or continued an argument. Defendant told the Plaintiff to go to another room to watch television. The argument then focused on the dog and whether he needed more water. During the argument, Plaintiff acknowledged that she spit at the Defendant. Defendant pushed the Plaintiff and she apparently fell onto the bed. She righted herself and attempted to run from the room. She nearly tripped over a fan and cut her leg. Defendant struck the Plaintiff in the face and side of her head, causing bruising and a laceration on her nose. She eventually was able to get out of the house. Salem police were summoned and Defendant was arrested.

Defendant testified that he never struck Plaintiff; that she fell over the fan and sustained the injuries described in the previous paragraph. He stated that Plaintiff had several alcoholic drinks and her condition clouded her memory. He alleged that Plaintiff was the aggressor. Salem police found, and this court so finds, that Defendant was the aggressor.

The court specifically finds that Defendant struck the Plaintiff in the face and side of her head causing injury to her.

RECOMMENDED:

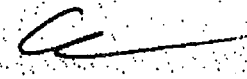
See accompanying Domestic Violence Final Order of Protection.

8/23/19
Date


Bruce F. DalPra, Master

I hereby certify that I have read the recommendation and agree that, to the extent that the marital master has made factual findings, he has applied the correct legal standard to the facts determined by the marital master.

So ordered:
8/27/19
Date


Judge
Hon. Robert S. Stephen

ROCKINGHAM SUPERIOR COURT
CASE SUMMARY
CASE NO. 218-2020-CR-00963

State v. Thomas Torrisi

§
§
§
§
§

Location: **Rockingham Superior Court**
 Judicial Officer: **Honigberg, Martin P**
 Filed on: **10/28/2020**
 Protective Order Number: **2182040963**

CASE INFORMATION








Offense	Statute	Deg	Date	Case Type:	Criminal
Jurisdiction: Salem					
1. DV; Simple Assault; Physical Contact	631:2-b,I(a)	MISDA	07/21/2019	Case Status:	10/28/2020 Pending
ChargeID: 1647756C ACN: 00864001900001099001					
Arrest: 07/21/2019 SALM - Salem Police Department					

Related Cases
 473-2019-CR-01943 (Transfer from Another Court)

Bonds
 Cash \$250.00
 11/5/2020 Posted
 Counts: 1


PARTY INFORMATION

Defendant	Torrisi, Thomas <i>84 Casablanca Court Haverhill, MA 01832 White Male Height 5' 10" Weight 225 DOB: 10/08/1966 Age: 52 DL: NH 10TIT66081</i>	<i>Attorneys</i>
Prosecutor	Rockingham County Attorney <i>P.O. Box 1209 Kingston, NH 03848-1209</i>	Peters, Patricia L <i>Retained 603-642-4249(W)</i>


DATE	EVENTS & ORDERS OF THE COURT	INDEX
10/28/2020	 District Court Appeal <i>Charges: 1</i>	<i>Index #1</i>
10/28/2020	 Complaint <i>Charges: 1</i>	<i>Index #3</i>
10/28/2020	 Other <i>Paperwork from Salem Circuit Court</i>	<i>Index #4</i>
10/28/2020	 Bond <i>\$250.00 cash or corporate surety Charges: 1</i>	<i>Index #2</i>
10/30/2020	 Criminal Bail Protective Order <i>Charges: 1</i>	<i>Index #5</i>
10/30/2020	 Transmit Protective Order	<i>Index #6</i>
10/30/2020	 Notice of Appeal from Circuit Court <i>Env. #1399225 and mailed to defendant</i>	<i>Index #7</i>

ROCKINGHAM SUPERIOR COURT
CASE SUMMARY
CASE NO. 218-2020-CR-00963

Charges: 1

11/13/2020  Appearance
Filed by: Prosecutor Rockingham County Attorney
Patricia Peters, ESQ for the State

Index #8

11/23/2020  Withdrawal
Filed by: Attorney LaFlamme, Jr., Gerard R., ESQ
Gerard LaFlamme for defendant

Index #9

TARGET DATE	TIME STANDARDS
03/27/2021	DCA Speedy Trial
01/27/2021 ***Overdue***	Felonies First Receipt of Indictment

DATE	FINANCIAL INFORMATION
	Defendant Torrisi, Thomas Criminal Cash Bail Balance as of 3/25/2021 250.00



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DISCLOSURE

Pursuant to its obligation to disclose potential impeachment material, this Office discloses that the following officer, who completed a report and/or is an anticipated witness in the below-identified case, is being prosecuted in connection with the following case:

2019 VIEIRA, Carlos Lawrence Rape, Indecent A&B under 14 PENDING
 1977CR000116

The docket is available on MassCourts. This information constitutes Criminal Offender Record Information, G.L. c. 6, § 167, subject to the protections set forth in G.L. c. 6, § 178. The disclosure is not a concession that the information is admissible. Admissibility is a fact-dependent inquiry in the Court's discretion. See Mass. G. Evid. §§ 609 and 403 and Notes.

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January, 2022

FURTHER DISCLOSURE REGARDING FORMER LYNN POLICE OFFICER MICHAEL CHALMERS

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER MICHAEL CHALMERS, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER MICHAEL CHALMERS was under investigation for allegations concerning the possession and use of cocaine. We were informed that the evidence against OFFICER MICHAEL CHALMERS consisted of one or more text messages between two other officers referencing OFFICER MICHAEL CHALMERS’ past possession/use of cocaine. We were informed he screened negative for cocaine.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning the officer by granting him transactional immunity. Because the evidence could not support viable criminal charges under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

The LPD has recently informed this Office that the investigation resulted in findings against OFFICER MICHAEL CHALMERS, by a preponderance of the evidence, for conduct unbecoming, to wit, dishonesty in responding to questions; illegal use of cocaine on numerous occasions; illegal use of prescription drug Adderall; and disobeying a lawful order. He was terminated after a hearing before a hearing officer hired by the City of Lynn, who found violations of required conduct (to wit, truthfulness in the course of IA investigation, cooperating fully in the investigation); conduct unbecoming (to wit, illegal use of cocaine on numerous occasions, illegal use of prescription drug Adderall); and insubordination (to wit, failure to obey an order issued by a superior officer that officers not have discussions with others concerning the investigation).

While this office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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_____ Docket no. _____ Date received _____
Defense counsel _____



JONATHAN W. BLODGETT
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January, 2022

FURTHER DISCLOSURE REGARDING FORMER LYNN POLICE OFFICER JOHN CLEM III

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER JOHN CLEM III, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER JOHN CLEM III was under investigation for allegations concerning the possession and use of cocaine, steroids and Adderall. We were informed that the evidence against OFFICER JOHN CLEM III consisted of text messages between OFFICER JOHN CLEM III and another officer (OFFICER JOSEPH PLESSAS) referencing OFFICER JOHN CLEM III’s past possession/use of cocaine, steroids, and Adderall. We were informed that OFFICER JOHN CLEM III tested positive for steroids and screened negative for cocaine and Adderall.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning the officer by granting him transactional immunity. Because the evidence could not support viable criminal charges under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

The LPD has recently informed this Office that OFFICER CLEM III did not participate in the investigation and resigned prior to its completion. The investigation resulted in findings against former OFFICER CLEM III, by a preponderance of the evidence, for conduct unbecoming, to wit, illegal purchase and distribution of anabolic steroids; illegal use of anabolic steroids, cocaine, and Adderall; and frequent use of a racial epithet in text messages.

While this office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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January, 2022

DISCLOSURE REGARDING LYNN POLICE OFFICER LUCAS HARRIS

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

The Officers placed on leave did not include Officer Harris, though information uncovered in the course of that IA implicated Officer Harris.

The LPD has recently informed this Office that the IA investigation resulted in findings AGAINST OFFICER LUCAS HARRIS by a preponderance of the evidence, for conduct unbecoming, to wit, illegal use of cocaine on a single occasion. He was suspended for 30 days from, August 19, 2021 through September 17, 2021, and is subject to three years of mandatory random drug testing.

Documents underlying these findings in the possession of the LPD must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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January, 2022

FURTHER DISCLOSURE REGARDING FORMER LYNN POLICE OFFICER SHANE MELISI

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER SHANE MELISI, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER SHANE MELISI was under investigation for allegations concerning the possession and use of cocaine and Adderall by Officer Shane Melisi. We were informed that the evidence against OFFICER SHANE MELISI consisted of one or more text messages between two other officers referencing OFFICER SHANE MELISI’S alleged past possession/use of these substances. We were informed he tested negative for cocaine.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning THEN OFFICER SHANE MELISI by granting him transactional immunity. Because the evidence could not support viable criminal charges under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

OFFICER SHANE MELISI resigned prior to the completion of the investigation. The LPD has recently informed this office that the investigation resulted in findings against OFFICER SHANE MELISI for conduct unbecoming, to wit, illegal use of cocaine on numerous occasions; abuse of prescription drug Adderall; and dishonesty in response to questioning during the IA investigation.

While this office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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January, 2022

FURTHER DISCLOSURE REGARDING FORMER LYNN POLICE OFFICER JONATHAN MILLS

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER JONATHAN MILLS, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER JONATHAN MILLS was under investigation for allegations concerning the possession and use of cocaine. We were informed that the evidence against OFFICER JONATHAN MILLS consisted of one or more text messages between two other officers referencing OFFICER JONATHAN MILLS’ alleged past possession/use of cocaine. We were informed he screened negative for cocaine.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning FORMER OFFICER JONATHAN MILLS by granting him transactional immunity. Because the evidence could not support viable criminal charges under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

OFFICER JONATHAN MILLS resigned prior to the completion of the investigation. The LPD has recently informed this Office that the investigation resulted in findings against OFFICER JONATHAN MILLS by a preponderance of the evidence for conduct unbecoming, to wit, illegal use of cocaine on numerous occasions; participation in the illegal purchase of a controlled substance; and dishonesty in response to questioning during the IA investigation

While this Office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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January, 2022

FURTHER DISCLOSURE REGARDING FORMER LYNN POLICE OFFICER JOSEPH PLESSAS

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER JOSEPH PLESSAS, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER JOSEPH PLESSAS was under investigation for allegations concerning the possession and use of cocaine and steroids as well as the possession with intent to distribute steroids by OFFICER JOSEPH PLESASS. We were informed that the evidence against OFFICER JOSEPH PLESSAS consists of text messages between OFFICER JOSEPH PLESASS and another officer evincing OFFICER JOSEPH PLESASS past possession and use of cocaine and steroids as well as his possible possession with intent to distribute steroids. We were informed he screened negative for cocaine and steroids.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning by granting him transactional immunity. Because the evidence could not support viable criminal charges under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

OFFICER JOSEPH PLESSAS resigned prior to the completion of the investigation. The LPD has recently informed this Office that the investigation resulted in findings against OFFICER JOSEPH PLESSAS, by a preponderance of the evidence, for conduct unbecoming, to wit, illegal purchase and distribution of anabolic steroids; illegal use of anabolic steroids and cocaine; and frequent use of a racial epithet in text messages

While this office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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_____ Docket no. _____ Date received _____
Defense counsel _____



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE
DISTRICT ATTORNEY FOR THE ESSEX DISTRICT
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January, 2022

FURTHER DISCLOSURE REGARDING LYNN POLICE OFFICER JOSEPH RICUPERO

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER JOSEPH RICUPERO, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER JOSEPH RICUPERO was under investigation for allegations concerning the possession and/or use of steroids and that the evidence consisted of one or more text messages between two other officers referencing OFFICER JOSEPH RICUPERO’s alleged past possession/use of steroids. We were also informed that he had tested positive for steroids in the course of the IA investigation.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning Off. Ricupero by granting him transactional immunity. Because the evidence could not support a viable criminal charge under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

The LPD has recently informed this Office that the investigation is complete and resulted in findings against OFFICER JOSEPH RICUPERO, by a preponderance of the evidence, for conduct unbecoming, to wit, illegal purchase and use of a class E drug (testosterone, drostanolone) and obstruction of an internal investigation, to wit, attempted dilution of steroid screen, by drinking water. As a result of these findings, OFFICER JOSEPH RICUPERO was suspended without pay from December 30, 2021 through December 29, 2022. Upon serving his suspension, he will be subject to random drug testing for three years.

While this office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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FURTHER DISCLOSURE REGARDING FORMER LYNN POLICE OFFICER DANTE VINCIARELLI

On April 13, 2021, the Lynn Police Department (“LPD”) initiated an internal affairs investigation (“IA”) into certain officers of the Lynn Police Department, including OFFICER DANTE VINCIARELLI, placing the officers on administrative leave pending the outcome of the investigation. On April 26, 2021, this Office issued a general disclosure regarding this investigation in cases in which the officers filed reports or were potential witnesses.

This Office was subsequently informed by the LPD that OFFICER DANTE VINCIARELLI was under investigation for allegations concerning the alleged possession and use of cocaine. We were informed that the evidence against OFFICER DANTE VINCIARELLI consisted of one or more text messages between two other officers referencing OFFICER DANTE VINCIARELLI’s past possession/use of cocaine. We were informed he screened negative for cocaine.

To assist in its investigation, the LPD requested that this Office issue a letter under Carney v. City of Springfield, 403 Mass 604, 609 (1988) and Baglioni v. Chief of Police of Salem, 421 Mass 229 (1993), which would remove any Fifth Amendment barrier to questioning the officer by granting him transactional immunity. Because the evidence could not support viable criminal charges under G.L. c. 94C beyond a reasonable doubt, and the public interest favored a thorough internal investigation and imposition of departmental discipline up to and including possible suspension or termination, this Office did so. As required by law, this grant was circulated to and approved by all 11 Massachusetts District Attorneys and the Massachusetts Attorney General.

OFFICER DANTE VINCIARELLI resigned prior to the conclusion of the investigation. The LPD has recently informed this Office that the investigation resulted in findings OFFICER DANTE VINCIARELLI, by a preponderance of the evidence, for conduct unbecoming, to wit, illegal purchase and use of cocaine on numerous occasions, illegal use of prescription drug Adderall, and dishonesty in response to questioning during the IA investigation.

While this office is in possession of the text messages that prompted the initiation of the investigation, it is not in possession of further documents and materials concerning the LPD’s findings, which must be sought by motion under Mass. R. Crim. P. 17. See Commonwealth v. Cruz, 481 Mass. 1021, 1022 (2018); Commonwealth v. Wanis, 426 Mass. 639 (1998). This Office discloses the information pursuant to its obligation to disclose potential impeachment material. See In the Matter of Grand A Jury Investigation, 485 Mass. 641 (2020). This disclosure is not a concession that the information is admissible in any given case. Id. at 652.

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