Fired officer sues, alleges rape scale

New Boston

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Ex-officer says she was afraid to challenge supervisor more than twice her age.

By PAT GROSSMITH

New Hampshire Union Leader

CONCORD — A New Boston police officer, fired after she complained about sexual harassment by a supervising officer who allegedly ranked female drivers on a “rapability” scale, has filed a federal lawsuit in U.S. District Court against the town and police department.

The town has yet to file a response to the suit filed by Alexandra Drake, 24, of Nashua.

“We strongly deny the allegations and the town attorney will address that accordingly,” Police Chief James Brace said.

Drake alleges the police department destroyed her reputation after she complained about Lt. Michael Masella’s sexual harassment and

+ that she was fired for allegedly falsifying a police report — making a factually incorrect change to a DWI report in September 2014 — which she alleges Masella ordered her to do for the benefit of defense attorneys.

Drake had disclosed altering the police report during a polygraph examination she took when applying for an officer’s job with the Manchester Police Department. A Manchester job offer was withdrawn, she said, after Brace added her name to the state’s Laurie List of names of officers with possible credibility issues.

And, Drake says, she was the only person disciplined for sexual harassment; Brace gave her a “written warning” for allegedly violating the town’s sexual harassment policy for not filing a report immediately.

Drake was 21 when she joined the New Boston Police Department as a parttime officer in June 2013. She was hired full time the following December.

Masella was her training officer. Masella conducted traffic stops of women drivers during Drake’s field training. After completing the stops, he told Drake that he wanted to just take them out and “rape” them rather than issue a citation, the lawsuit, filed by attorney Tony F. Soltani of Epsom, alleges.

“Masella would routinely make comments about female drivers whom he thought found him attractive or
good looking,” the suit claims. “He has apparently developed a ‘rapability’ scale about female drivers and would test Drake whether a particular driver was ‘rapable.’” She also alleges that Masella made sexually oriented comments to her while she was off duty, once at an Amherst bank and another time when he showed up announced at her home and asked if she was naked.

Drake, the lawsuit said, was unsure whether anyone would believe her, or if any of her colleagues would support her given that Masella is more than twice her age, was a 23-year-veteran of the Nashua Police Department, is second in command of the New Boston department and very good friends with the police chief.

In February 2015, Drake told Officer Daniel Aiken about Masella’s comments and he told her they both had a duty to report misconduct to a superior, which they did by informing Sgt. Richard Widener.

Widener was already aware of the complaint and told them he would take care of it. Drake also told Widener that she and other officers were told by Masella to falsify a police report.

On April 17, 2015, the suit contends, Drake told Brace about Masella openly speaking unfavorably about patrol officers, particularly women officers, and how he would belittle her about her report writing in the presence of other employees.

Brace responded, Drake says, by ordering her to follow the chain of command and take the issues up with Masella.

A week later, Widener filed a complaint about Masella ordering Drake to make a false entry into a police report and Masella’s sexual harassment of Drake Two hours later, Drake was brought in for an “interview” with Brace. Masella and Widener were present. She says she was subjected to a barrage of questioning lasting more than an hour while Masella stood close by. Brace, she says, told her that maybe the police department would be better off if she were gone.

Within days of Widener filing the sexual harassment complaint, Brace recommended to the Board of Selectmen that the sergeant be suspended or demoted for a variety of policy violations. Widener subsequently resigned.

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