Salem police reviewing two old internal affairs investigations at AG’s request

Hearings upcoming: The AG’s office is wondering whether names should be added to the Laurie List.

JJ

By RYAN LESSARD

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SALEM — Civilian Administrator Brian Pattullo, the man contracted by the town to oversee the police department since last fall, said two past internal affairs cases are being reviewed at the behest of the state Attorney General’s office.

Pattullo said he and Town Manager Christopher Dillon received a letter dated Feb. 12 from Senior Assistant Attorney General Geoffrey Ward requesting the department review two specific cases, each involving a separate officer.

“One is working and one is not,” Pattullo said of the officers.

In a copy of the letter obtained by the New Hampshire Union Leader, the names are redacted.

“Based on the information this office has received and reviewed to date, I am now writing to inform you that this office has concluded that the following officers have engaged in conduct that is potentially exculpatory and would require placement on the Exculpatory Evidence Schedule (EES),” states the letter signed by Ward.

The EES, also known as the Laurie List, is a list of names of police officers who have credibility issues.

The two cases were reviewed as part of the recent audit by Kroll Inc., which looked at the department’s internal affairs practices, payroll issues and culture. The unredacted report released in November reviewed more than 20 such cases from the past five years.

Pattullo said they are not reinvestigating the cases. Upcoming hearings will be held with the officers involved, with labor council representing the town and union council representing the officers. Pattullo will make a decision on whether to add the names to the list. The Attorney General’s office is currently conducting criminal investigations into Deputy Chief Robert Morin, Capt. Michael Wagner, Sgt. Michael Verrocchi and former Police Chief Paul Donovan.

Gilles Bissonnette with the American Civil Liberties Union of New Hampshire said the organization is pleased a review is being conducted.

“At the very least, this information released in the Kroll report could help determine whether criminal defendants are entitled to know about these incidents in cases in which these officers are testifying witnesses,” Bissonnette said. “The EES list exists to help ensure that this potentially exculpatory information is disclosed to defendants, which protects the due process rights of defendants.”
Bissonnette previously identified two formal internal affairs investigations reviewed by Kroll that might rise to the level of crimes committed by police but did not result in charges. One of these cases is part of the current department review, Pattullo said.

In one case, an off-duty officer (identified as Officer B in the Kroll report) was accused of leading another officer on a high-speed chase and laughing about it later, and, in a separate incident, another off-duty officer (identified as Officer F) was accused of causing a motor vehicle accident while driving under the influence of alcohol, and leaving the scene of the crash before officers arrived.

Both cases resulted in sustained findings, but officers received light discipline. Officer B was given a one-day suspension without pay. Officer F was initially handed a 10-day suspension, which was later reduced to a five-day suspension after negotiations with the union.

Later in the Kroll report, it states Officer F resigned from the police department due to an off-duty arrest for driving under the influence, which was a separate incident months later, Pattullo confirmed. The report states an informal inquiry was opened in this case but was not completed because the officer resigned.