Weare police lawsuits settled

Insurance premium increase:
The costliest settlement involved former police Sgt. Lou Chatel.

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WEARE — Three lawsuits against the town stemming from police department troubles have been settled out of court, but taxpayers will be picking up the tab for higher premiums next year as a result of the settlements.

Primex, a risk pool that insures the town against losses from things such as fire, workers compensation, and lawsuits, has increased Weare’s yearly liability premium from $117,200 for 2013 to $193,146 for 2014, according to Finance Administrator Tina Connor.

The increase of nearly $76,000 is a result of an overall increase in insurance premiums, said selectmen Chairman Tom Clow, but it also reflects the settlement

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of three lawsuits involving the police department.

The costliest settlement involved former police Sgt. Lou Chatel, who alleged in state and federal court that he suffered harassment, intimidation, and investigations into child pornography in which neither the Attorney General’s Office nor the Hillsborough County Attorney’s Office found evidence of wrongdoing on Chatel’s part.
Chatel was fired by Weare in 2010 and filed a wrongful termination lawsuit shortly thereafter, naming the town, selectmen, former Police Chief Gregory Begin and former Lt. James Carney, according to settlement documents on file at the town clerk’s office.

Chatel alleged that a pattern of harassment and intimidation from Carney and Begin began in 2009 when he refused to alter a police report at Carney’s request. From there Chatel alleged the harassment escalated. In 2010, Chatel alleged he took a laptop home to work on a child pornography case he had been investigating, and as a result, Begin and Carney alleged that Chatel was in possession of child pornography and asked the Attorney General’s Office and the county attorney’s office to investigate. No evidence was found to support Begin and Carney’s claim.

Chatel sued the town in superior court, took the case to the federal level where it was rejected, and brought it back to superior court. On December 23, 2013, the town settled with Chatel, and Primex paid the former sergeant $25,000 for economic loss; $57,549.67 for non-economic loss; and $192,450 for attorneys’ fees and costs — a total of $274,999.67.

In May, Begin retired, a year before his term as an elected chief was up. Carney, who was placed on administrative leave by selectmen in March 2013 for allegedly violating a number of department policies, retired July 1.

The second lawsuit that was settled in December was filed by George Hodgdon, former owner of Palmer’s Tavern, who alleged in court documents that he was systematically harassed by members of the police department because he refused to hire officers to work details outside his establishment. After a fight occurred outside the restaurant, Hodgdon was arrested during the execution of a search warrant when he refused to make an official statement to police. He was charged with hindering apprehension and unsworn falsification, but was acquitted of both counts, according to New Hampshire Union Leader reports.

In 2012, Hodgdon sued the town, Begin, Sgt. Joseph Kelley, Sgt. Robert Peterson, Officer Nicholas Nadeau, and Officer Brandon Montplaisir. On Dec. 12, Primex paid the $15,000 settlement negotiated by the town and Hodgdon.

Peterson has since left the department, citing personal issues, and Kelley was terminated for allegedly violating department policies in November. Nadeau and Montplaisir are still on the force; both were involved with the fatal shooting of an alleged drug dealer during a sting operation in August. The Attorney General’s Office is still investigating the shooting.

The third suit, against the town, Carney, and Peterson, was filed by William Rodriguez, who claimed his civil rights were violated when he was arrested for video recording a traffic stop made by Kelley. The suit alleged that Carney threatened to arrest him for recording the stop at the scene. Later, at the police station, Carney allegedly pulled his gun on Rodriguez, arrested him, and seized his camera, the lawsuit said. Rodriguez was charged with felony wiretapping, disorderly conduct and breach of bail. All three charges were ultimately dropped, and Rodriguez filed a suit alleging a civil rights violation. That suit was settled on Jan. 24 for $8,000, which Primex paid to Rodriguez.

According to settlement documents, the town doesn’t admit any wrongdoing, and the men who filed the suits have agreed not to discuss the terms of the agreements and have withdrawn their actions against the town.

Selectman Tom Clow said that settling the suits is a “giant step forward” for the town, which now has a new police chief, John Velecca, and several new officers.

“We’ve made a lot of positive changes at the police department,” Clow said. “Retirements have changed the culture of the department, and the new chief is very experienced and very straightforward. The staff respects him for that.”

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