



Meriden Police Department Employee Complaint Form

50 West Main Street
Meriden, CT 06451
203-630-6339
www.cityofmeriden.org

Office Use Only:
 IA#: 11-26
 Initials: L.C
 Date: 5, 5, 11

Instructions: If you would like to file a complaint against a police employee, please write legibly and fill out this form. Personal information will not be disclosed to the public, unless required by law. You can submit this form by mailing or returning it to the Meriden Police Department at the address given at the top of this page.

I wish to file a (please check one):

- Formal Complaint:** Involves a serious allegation of misconduct, and I want my complaint officially investigated, for which discipline may be imposed, if the allegation(s) are sustained.
- Informal Complaint:** Involves a minor complaint or concern, and I only want my complaint/concerns on record. I understand it will be for informational purposes only, will not be formally investigated. However the matter will be discussed with the employee(s) involved.

Information about you

LAST NAME		FIRST NAME	M.I.	DATE OF BIRTH
STREET ADDRESS and APT#		CITY	STATE	ZIP CODE
HOME PHONE	WORK PHONE	CELL PHONE		SEX <input type="radio"/> MALE <input type="radio"/> FEMALE

Information about the incident

LOCATION OR ADDRESS OF INCIDENT		DATE OF INCIDENT	TIME OF INCIDENT
WITNESS LAST NAME		FIRST NAME	AGE
WITNESS ADDRESS		CITY	STATE
NAME OR ID# OF OFFICER OR EMPLOYEE		NAME OR ID# OF OFFICER OR EMPLOYEE	

Nature of action: Please use the narrative section below to briefly describe what happened. If you need to use a separate sheet of paper to continue, please make sure to date & sign it.

See Attached

I attest that the above information and my statement is true and correct to the best of my recollection

Signature: DFC [Signature] 4/18 Date: 5, 5, 11



Meriden Police Department



To: Sgt. Leonard Caponigro
From: Officer Christopher Fry
Subject: Internal Affairs Complaint
Date: 05/04/2011

In April of 2011, Officers Donald Huston and Brian Sullivan filed a request with City Manager Lawrence J. Kendzior, for the review, and independent investigation of numerous incidents. Within their request, several specific incidents were cited to include an arrest in which Officer Huston and Officer Sullivan accuse Officer Evan Cossette (then a police explorer) of inappropriately tackling an individual and causing a significant injury. The incident to which they refer is in direct relation to the 2006 arrest of Nancy Stanley in the area of Oak Street in Meriden, CT

Recently, my attention has been brought to a newspaper article published by "The Record Journal", authored by Dan Ivers. Within this article Ivers reports, "Huston and Sullivan, in a comment sent by email through their attorney, Sally A. Roberts, said they believed Fry and other officers were reluctant to report misconduct by Evan Cossette out of fear they might be retaliated against." Ivers quotes Officer Huston as having said, "The truth is that the facts in those reports were fabricated to favor Evan so that he didn't look bad and his actions were justified"

I have interpreted these statements as a personal attack questioning my honesty, integrity, and overall credibility. Not having reviewed my own report, and those of other officers that have documented the arrest of Nancy Stanley in 2006, I am confident that I have attested to the incident truthfully and accurately. With this being said, I am curious as to what proof Officers Huston and Sullivan would have that would support such an accusation of fabricating the truth. I would like to take this opportunity to submit a formal complaint regarding Officer Huston and Officer Sullivan's letter to Lawrence Kendzior and statements about me in the local Meriden newspaper. I question whether they have violated department policy and procedure by voicing such an accusation.

Thank you for your time and attention to this matter.

**Meriden Police Department
Internal Affairs Unit**

Investigative Report

IA #: IA-11-26

Category: Class 1

Complainant: Officer Chris Fry

Allegations: Dishonesty and untruthfulness

Officer(s) Accused: Officers Don Huston and Brian Sullivan

Date(s) of Incident: Upon release of first and second complaint letter

Time of Incident: N/A

Place of Incident: N/A

Type of Incident: Written complaint

**Involved Parties: Off. Chris Fry
Off. Evan Cossette
Off. Brian Sullivan
Off. Don Huston
Nancy Stanley**

Complaint:

On May 5, 2011, Officer Chris Fry (Meriden P.D.) filed a formal complaint with the Internal Affairs Unit regarding the complaint letters sent to Meriden's city manager from Officers Huston and Sullivan. The Huston/Sullivan letters have triggered several counter-complaints from various Meriden police officers, including Officer Fry, who have attacked the veracity of Huston and Sullivan's statements.

Office Fry takes issue with how Huston and Sullivan describe the events of April 7, 2006, when Fry arrested Nancy Stanley for numerous charges. Huston and Sullivan allege that Evan Cossette (then a police explorer) tackled Stanley and broke her arm, never receiving any discipline for his actions. Fry states that allegation is untrue.

Investigation:

On May 17, 2011, I was assigned an investigation of a complaint filed by Officer Chris Fry regarding the truthfulness of allegations made in the Huston/Sullivan complaint to the city manager. The portion of the letter that refers to Fry is found in the first paragraph of the second page of the first complaint.

The first—and most obvious—inconsistency in the Huston/Sullivan letter is the description of Evan Cossette as a PST (police service technician) during his incident with Officer Fry. According to the police reports associated with the case, Evan Cossette was not a PST at the time. Rather, he was a police explorer. The Meriden Police Explorer Post 911 is a non-profit organization, affiliated and chartered with the Boy Scouts of America, and sponsored and administered by the Meriden Police Department. The primary goal of the Meriden Police Explorers is to provide its membership with an exposure to the career of law enforcement. Therefore, the Huston/Sullivan line that reads Evan “had no regards for PST rules and regulations” simply would not apply in this incident. Police Explorer Cossette was riding with Officer Fry during the incident in question.

Huston/Sullivan then contend that Officer Fry, was trying to apprehend a woman, Nancy Stanley, after she fled from him on foot. They go on to write that Cossette exited the vehicle and tackled the woman “and subsequently broke her arm.” The letter continues with Huston and Sullivan's opinion as to what should have happened to Cossette after the incident.

On July 5, 2011, I met with Officer Chris Fry. Attorney Tom Daily, the independent investigator hired by the City of Meriden, was also present. On the night of the incident

in question, April 7, 2006, Fry was riding in his patrol vehicle with Explorer Cossette. It was the only time that Fry ever rode with Cossette.

Fry indicated to Daily and me that he was upset that Huston and Sullivan were calling his integrity into question. He maintained that he stands by his report of the incident as it is documented.

On April 7, 2006, Fry was looking for Nancy Stanley. She was wanted for evading responsibility from a motor vehicle accident in a case that Officer Bradley was working. Explorer Cossette was the one who saw Stanley on the porch of 152 Oak St. She was standing there with two other men. As Fry approached the men and asked them to come closer, Stanley began to enter the residence. The male told Fry that Stanley did not live there. Stanley entered the house and left Fry's sight. Fry then saw Cossette run toward the rear of the residence. Cossette then yelled that he was with Stanley. Fry said that he was near the porch of the home when he heard Cossette call out. Fry took a few steps to the right and could immediately see Cossette standing with Stanley. Fry told me that neither Cossette nor Stanley was on the ground. He also said that he doesn't even remember seeing Cossette touch Stanley. He was simply standing in front of her so as to block her egress. Fry said there was no way that Cossette could have tackled Stanley and gotten up in the time that Fry had walked to the side of the house where they were. Fry said that it took him one to two seconds to see Stanley and Cossette after Cossette called out that he had located her. Fry did not see any indication of Cossette or Stanley having been on the ground (e.g. dirt on their clothing, fresh cuts or scrapes, etc.) Fry then approached Stanley and Cossette, who were about 25 feet away from him, and took Stanley into custody. As Fry began cuffing her, Stanley complained about her arm. Fry asked her how she received her injury, and she told him that she had just been in a car accident (Fry, Supp. Rpt., p. 3 of 4, 04/08/2006).

Fry concluded his interview by telling us that it was "impossible" for Cossette to have caused the injury to Stanley's arm.

After our interview with Fry, Atty. Daily and I accompanied him to 152 Oak St. where he showed us exactly how the incident occurred. The layout of the residence and Fry's explanations were consistent with the account given in his report. Also, before leaving, I took four photos of the scene.

Further review of the investigation revealed a sworn written statement from Heugenio Perez, who was one of the men standing on the porch during the time of the incident. Mr. Perez said that when he first saw Nancy Stanley, prior to the police arrival, he "got her to walk over to Sal's front porch, which was close by. There we sat down and I started to talk to her. She told me she fell and got hurt. I didn't know anything about a car accident at this point. She told me her neck and her back was [sic] hurting. She said she had fallen on the street somewhere."

On July 12, 2011, I spoke to Salvatore Barbar. Mr. Barbar was the occupant of 152 Oak St. at the time of the incident. I asked Barbar what he remembered about the incident

after Nancy Stanley had arrived on his porch. Barbar told me that when he first saw Stanley (prior to any police arrival) he noticed that she was favoring one of her arms, as though it had just been injured. When Barbar then saw Stanley run through his house to elude the police, he intercepted her and physically escorted her out of his home, down his side stairs, and turned her over to the police. Mr. Barbar told me he never saw Nancy Stanley get tackled or put on the ground at any time.

On October 17, 2011, I visited Nancy Stanley at the York Correctional Institute in Niantic, CT. I asked her if she remembered the incident in question. She said she did. She also told me that she was contacted by reporter Dan Ivers from the *Record-Journal* to comment on the incident. Stanley told me that she is not one to engage in get rich quick schemes, such as lawsuits that are not accurate, and she does not want to lie.

Stanley then provided me with a sworn written statement explaining that her arm was broken as a result of the car accident she was in prior to her apprehension, as stated by Officer Fry in his report. She told me that she had crushed her arm against the steering wheel and was in extreme pain. Also, Stanley told me that she was not tackled or hurt by any of the officers at the scene of her apprehension, which corroborates the account given by Salvatore Barbar. Stanley did relay, however, that she felt Officer Fry was rude to her at the scene.

On November 29, 2011, I spoke with Off. Brian Sullivan regarding his knowledge of this incident. He admitted that a lot the information he put in his complaint to the city manager regarding this incident was “hearsay” and “based on brother officers,” and information that people told him that he believed was true. Sullivan goes on to say that he attempted to get the reports of this case from internal affairs but they gave him a great deal of resistance. He was not able to review the reports prior to his letter to the city manager. He said that he later saw then-Sgt. Glen Milslagle pass the report to *Record-Journal* reporter Dan Ivers.

Sullivan goes on to say that his facts for this incident are “inaccurate” insofar that Evan Cossette was not a PST at the time but, in fact, a Police Explorer. Sullivan said that without the report he knew that Cossette was working in a civilian capacity of some sort.

I then asked Sullivan if that was the only error in this section of his letter. He said it was and that he stood by the rest of the account. He said that this incident was highly talked about throughout the department, including jokes made to Evan Cossette in roll call where officers would say, “I hope you’re not going to go out and break a woman’s arm.” Sullivan also said that he got a good deal of his information from talks with other officers on the SWAT team.

Sullivan goes on to say that Off. Fry (the same author of this complaint) told him that Evan Cossette was responsible for Stanley’s broken arm. Sullivan said, “When an officer tells me something, I believe what they say is true.” Sullivan feels that what an officer says in a SWAT meet or in a locker room should be given the same weight as what an officer says on a call or during an investigation.

Officer Sullivan was then asked that since the comments in roll call were made in a joking matter, was it possible that those who heard the comments took them for just that—jokes or exaggerated material. Sullivan agreed that that was possible.

Sullivan was then asked if what Officer Fry told him was true, would Fry have an obligation to report the incident to Internal Affairs. He said yes. Sullivan was then asked if he had an obligation to report the incident to Internal Affairs. He replied, “I should’ve, yes.”

On December 5, 2011, I spoke with Officer Don Huston regarding this incident as it relates to his complaint to the city manager. He said that Officer Brian Sullivan brought up this incident, although Huston does remember hearing discussions of the incident in the locker room and around the department. Huston does not remember speaking to Fry about this incident, and he concedes that he did not review a copy of the incident reports regarding the case.

On February 16, 2012, Officer Evan Cossette was interviewed regarding his knowledge of the incident. Cossette said he was a police explorer at the time and that he never tackled or used any type of force on Stanley. He remembers Stanley coming out of the house, and he told her to “hold on” while he called for Officer Fry.

Finally, since Huston and Sullivan’s complaint letter was first published on Patch.com (a community-specific news platform) on April 1, 2011, I spoke to Patch.com reporter Laurie Salerno and asked her how she obtained a copy of it. She told me that Attorney Sally Roberts (who consults and/or represents Huston and Sullivan) e-mailed her a copy of the letter. This enabled the complaint letter to become a readily accessible public document, describing a situation that, in fact, never happened, yet brought discredit upon the Meriden Police Department and Officer Evan Cossette.

Summary/Conclusion

As a result of my findings in this investigation, I feel that Off. Fry has a valid complaint. The fact that Officers Huston and Sullivan publicly claimed that Evan Cossette broke Nancy Stanley’s arm is worrisome. The officers publicly state the matter as if it was fact. Neither Huston nor Sullivan was on the scene during the incident, and they did not review the police reports. In speaking with the witness, suspect, and officers on scene, no one was able to confirm Huston and Sullivan’s claim. In fact, they refuted it.

Based on the preceding information, I believe that the preponderance of the evidence shows that Off. Huston and Off. Sullivan may have committed the following violation(s):

✓

Meriden Police Department Rules and Regulations Section 2 Improper Conduct

2.16 Making public statements which are known to be false or to be a reckless disregard of known facts related to department policy.

✓

Meriden Police Department Rules and Regulations

Section 1 General

1.1 Any violation of the rules and regulations, general orders, special orders, written directives, memoranda, lawful orders or any act which tends to undermine the good order, efficiency and discipline of the department or which brings discredit upon the department or any member of the department, shall constitute “conduct unbecoming an employee.”

Det. Lt. Mark Walerysiak
Internal Affairs Unit
Meriden Police Department

February 28, 2012