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CONFIDENTIAL

TOWN OF SALEM, NEW HAMPSHIRE

POLICE DEPARTMENT

INTERNAL INVESTIGATION

DECEMBER 2024

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TOWN OF SALEM POLICE DEPARTMENT INTERNAL REVIEW

RE: DEPUTY SHANE SMITH/OFFICIAL OPRESSSION

DECEMBER 2024

CAUTION

This report contains information related to personnel, juveniles, and other protected information. MRI recommends that the content of this report be reviewed by legal counsel prior to any decision about disseminating all or any portion of this report.

INTRODUCTION

was received from a 911 call made by an anonymous female reporting a large party
Salem Police initially dispatched one cruiser to this address. That officer arrived at 11:17 pm and
At that time other officers were dispatched to as well as to the area of Stanwood Road, which is located through a wooded area adjacent to the rear of
James Kattar, owner of Market
Jr. to represent him for the criminal charge. Maverick Investigative Services LLC was retained to investigate the circumstances surrounding the house party hosted by the Kattar's, as well as the procedures used by the Salem Police Department how the police determined what charges should be filed.
A Jeep Wrangler operated by a female with blonde hair was observed by a Salem police officer on Stanwood Road while he was checking for the officer radioed in the license plate from this vehicle to dispatch; the vehicle came back .



The issues to resolve from this complaint are:

•	Did Deputy Chief Smith receive advance notice that the police were responding to
•	Did Deputy Chief Smith tell James Kattar days before the party that he would "deflect" for Mr. Kattar if there were any problems at the party?
•	
•	Determine from police records, body camera footage and interviews, accurate times police responded to an and reported the vehicle on Stanwood Road.

MATERIALS REVIEWED

- 1. Maverick Investigation report.
- 2. Salem Police Dispatch phone calls and dispatch recordings, Local Access Network times (License Plate Listings).
- 3. Town and personal cell phone records from Deputy Chief Smith, personal cell phone
- 4. Salem Police Reports.
- 5. Salem Police Officer Detail Slips.
- 6. Body camera and cruiser video.

Unless otherwise noted, documents and materials referred to within this report were provided to MRI by Captain Jason Smith.



INVESTIGATION

INTERVIEWS

Robert Morin
Maverick Investigative Services LLC

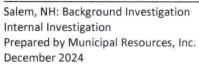
This investigator met with Robert Morin at Maverick Investigative Services in Salem on October 21, 2024. Prior to this interview, this investigator reviewed the Maverick Investigative Services Report that was prepared by Robert Morin for Attorney LaFlamme in August 2024, and the letter of complaint. The documents were provided to this investigator by the Salem Police Department: Mr. Morin sent to Salem Police Chief Joel Dolan and Town Administrator Joseph Devine On August 28, 2024 (ATTACHMENT A, ATTACHMENT B).

	pleting his investigation into the Salem Police response to the party at characteristics and the party at the party
Ch off to No	Mr. Morin told this investigator that ief Dolan has conducted in-service training with the department and has educated iters and supervisors on how to handle these types of cases in the future. Mr. Morin d this investigator that concern has been addressed to his satisfaction. Ite: Due to Morin's statements, no additional inquiry of substance was made relative the procedures used by Salem police at the call for service on
	e second, concern Mr. Morin had after completing his investigation was information described during his investigation that Deputy Chief Smith
¹ Morin has witnesses.	declined to identify No interviews have been conducted of these three potential
Salem, NH:	Background Investigation Page 4





This investigator asked Mr. Morin if he ever identified any witness who may have had direct knowledge
Mr. Morin told this investigator he did not have any direct knowledge; he believes at this point that it is a rumor circulated among some people who attended the party.
Mr. Morin told this investigator he reviewed Salem Police IMC Dispatch logs and listened to audio dispatch recordings for the night of June 28, 2024. Mr. Morin noted in his investigation report that Salem Police received complaints regarding the party at and dispatched the first cruiser at 11:10 pm. He reported that at 11:17 pm, Officer Peters was the first officer to arrive with back up officers arriving shortly after Officer Peters (ATTACHMENT C). Officer Benoit, Officer Wilson, and Officer Dempsey were dispatched to the area of Stanwood Road which is adjacent to and can be accessed on foot through a wooded area.
Using the IMC documents provided to him by Salem police as reference, Mr. Morin indicated that at 11:21 pm, Officer Benoit, arrived in the area of Stanwood Road and radioed into dispatch on a vehicle he observed. Officer





Benoit repeated the plate number for the dispatcher and asked if it was registered to a Jeep. Salem dispatch transmitted the information on who this vehicle was registered to, however, due to driver privacy the audio was muted on the recording. After receiving the vehicle information Officer Benoit radioed to dispatch that it was operated by a female driver.

Note: Morin has made assumptions when correlating IMC logs to audio recordings. The recordings had no time stamp; therefore, they cannot be accurately matched to the dispatch logs.

² The distribution of vehicle registration information to Morin by an authorized recipient of such information is

inconsistent with the allowances found in NH RSA 260:14 Records and Certification.





Morin told this investigator he assumes this plate is radioed in at that time from listening to the audio recording, which has no time stamp.

The IMC logs indicate Officer Benoit arrived at that time. Morin told this investigator that he had determined Benoit called in the plate at that time. This investigator determined that Morin is incorrect; he was making an assumption that the time he gave was when the plate was called in; however, body camera footage records the exact time he called in the plate (11:30).

As part of his investigation Mr. Morin filed a 91-A request and received Town Cell Phone Records for Deputy Shane Smith, Captain Joe Keating, and Captain Jason Smith. After reviewing these records there was no indication of phone calls made within the period of 11:10 pm and 11:30 pm between these officers. Mr. Morin indicated that because of the limited use documented on the town cell phones of Deputy Chief Shane Smith and Captain Joe Keating, these two officers must be utilizing their personal phones for town-related business as well.

Deputy Chief Shane Smith Salem Police Department

On October 28, 2024, this interview was conducted at the Salem Police Department. Deputy Chief
Smith acknowledged and signed his Garrity Warnings and voluntarily produced personal
Verizon cell phone records for himself,
Deputy Chief Smith indicated he contacted Verizon and attempted to obtain his text messages
for June 28, 2024; however, he was told those records were only available by subpoena. Deputy
Chief Smith told this investigator he was concerned about releasing personal phone records;
however, he wanted to cooperate with the investigation and was confident all non-relevant
nformation contained in these records would be redacted.
Descrite Chief Covide held this issue disease he wended a describe as Fille 1 and 20, 2024 at 11 b

Deputy Chief Smith told this investigator he worked a day shift on Friday June 28, 2024, which ended at 4:00 pm. Before leaving work, he secured his weapon in a cabinet and left his portable radio in the charger, both located in his office. Deputy Chief Smith explained that this is his normal routine and his only means of communication with the department or any member after he leaves is through his personal cell phone. Deputy Chief Smith indicated he only utilizes his personal phone and generally does not use the town issued phone.

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Deputy Chief Smith knew prior to June 28 th	
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and Deputy Chief Smith have been acquaintances for years and often play golf together.
. He, went home for
the remainder of the evening.
Deputy Chief Smith told this investigator he did not recall exactly when he woke up nor how many calls he made that evening. Utilizing his personal phone records, this investigator and Deputy Chief Smith reviewed the sequence of outgoing phone calls found on his personal cell phone for the period of time in question beginning June 28 th at 11:33 pm when the first call was made the last phone call made Deputy Chief Smith's cell phone records indicate he made the first call at 11:33 pm. Deputy Chief Smith told this investigator he did not recall why he made this call, or what the conversation was during that call.
The next recorded phone call in Deputy Chief Smith's records is at 11:44 pm
The direction of that call was two (2) minutes
The duration of that call was two (2) minutes.
At approximately 11:45 pm, Deputy Chief Smith received a text from Lieutenant Kirley's cell phone asking him to call. The phone records indicate Deputy Chief Smith called Lieutenant Kirley's cell phone at 11:45 pm. During that phone call Lieutenant Kirley told Deputy Chief Smith had been called in on Stanwood Road
At approximately 11:45 pm, Deputy Chief Smith received a text from Lieutenant Kirley's cell phone asking him to call. The phone records indicate Deputy Chief Smith called Lieutenant Kirley's cell phone at 11:45 pm. During that phone call Lieutenant Kirley told
At approximately 11:45 pm, Deputy Chief Smith received a text from Lieutenant Kirley's cell phone asking him to call. The phone records indicate Deputy Chief Smith called Lieutenant Kirley's cell phone at 11:45 pm. During that phone call Lieutenant Kirley told Deputy Chief Smith had been called in on Stanwood Road. Deputy Chief Smith commented, "Oh, I can imagine how this is going to look." Deputy Chief Smith told this investigator he made that comment because he has been scrutinized by Mr. Morin in the past, and he knew the information would become public information

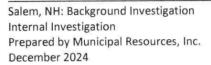


Deputy Chief Smith called a a
second time at 12:18 pm.
This investigator asked Deputy Chief Smith what conversations he had with James Kattar about the party while they were playing golf a few days before the party. Deputy Chief Smith explained he has been friends with Mr. Kattar for a number of years and they regularly play golf together. They played golf in the early morning just a few days before the party on June 28 ^{th,} however, he could not recall the exact date. Deputy Chief Smith told this investigator that he did not recall having any conversations with Mr. Kattar about the party and definitely would not have offered to "deflect or cover for him" if there were any problems at the party.
Deputy Chief Smith told this investigator he would supply any further information or documents

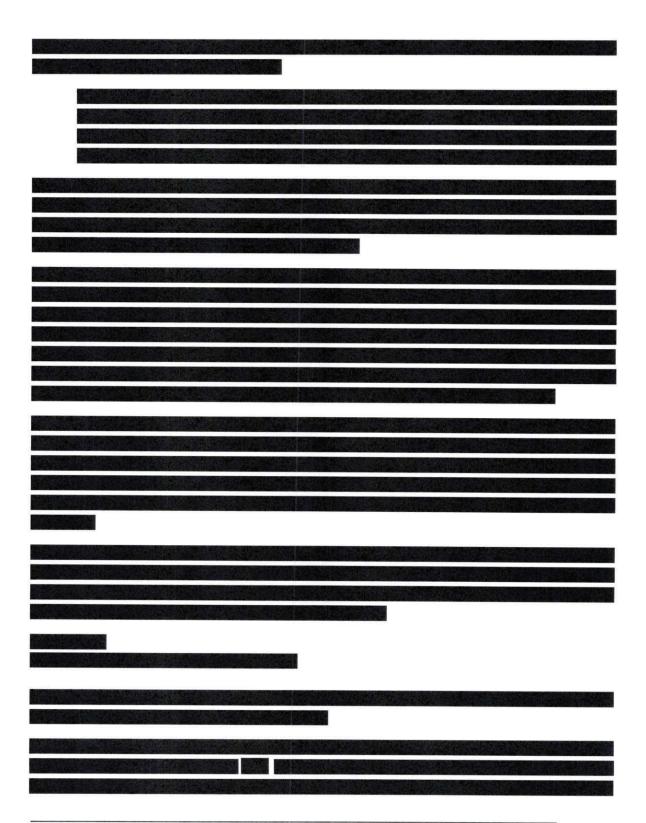


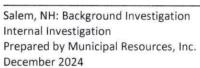
needed for this investigation.



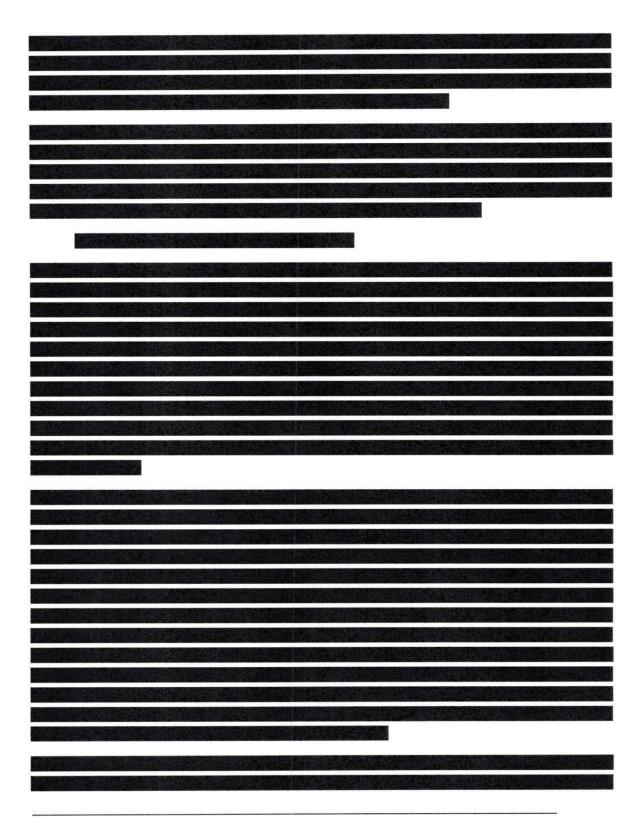


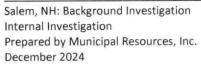














Captain Jason Smith Salem Police Department
Captain Jason Smith is not related to Deputy Chief Shane Smith.
On October 28, 2024, Captain Jason Smith was interviewed at the Salem Police Department. Captain Jason Smith told this investigator that, on the evening of June 28, 2024, he was working an extra duty detail at Canobie Lake Park with Captain Joe Keating. Captain Smith provided this investigator with the Extra Duty Detail slip he filed after working that detail. The slip indicates he worked from 4:00 pm to 10:30 pm (ATTACHMENT D).
Captain Smith told this investigator he had no prior knowledge of a house party at the Kattar residence on and while working the Canobie Lake Detail he did not hear any transmissions from dispatch or officers on his portable radio about the loud party on Captain Smith told this investigator that he recalled driving from Canobie Lake Park to his home after the detail was completed Captain Smith recalled first hearing about the officer's response on Monday morning when he returned to work.
Captain Smith also provided this investigator with all the documents, reports, audio recordings, and body camera footage linked to this investigation.
Captain Smith told this investigator that his issued town cell phone is also his personal phone. The Town of Salem provided this investigator with the cell phone records for Captain Jason Smith. This investigator reviewed these cell phone records and identified only one notation between 11:10 pm and 11:17 pm June 28, 2024. This was a notation a text message had been received on his phone at 11:12 pm. The notation does not supply the content of the text only that it was received. Captain Smith told this investigator he did not recall what text message he received, and he may not have read the text message until the next day June 29 th . No incoming or outgoing calls were made from Captain Smith's cell phone during that period.



Lieutenant Robert Kirley Salem Police Department

October 28, 2024, Lieutenant Robert Kirley was interviewed at Salem Police Department. Lieutenant Kirley was the shift supervisor from 4:00 pm to midnight on June 28, 2024, working an overtime shift, and not his regularly scheduled shift.

Lieutenant Kirley told this investigator he was in his office which is located just outside the dispatch room. He heard the call for the loud party on and heard officers arriving at the party Lieutenant Kirley went into dispatch to further monitor what was happening and heard officers
being sent to the area of Stanwood Road
Lieutenant Kirley heard Officer Benoit call dispatch for a motor vehicle listing on a plate. The plate number came back The dispatcher transmitted this registration information back to Officer Benoit;
Lieutenant Kirley continued to monitor the call,
Lieutenant Kirley told this investigator that sometime between 11:45 pm and midnight, he sent Deputy Chief Smith a text from his cell phone asking him to call him.
Deputy Chief Smith called Lieutenant Kirley almost
Lieutenant Kirley did not recall exactly what the Deputy said in response, but he knew he woke him because Deputy Chief Smith said, "Dude, I was sleeping." Lieutenant Kirley indicated this call lasted less than two (2) minutes.
This investigator obtained Lieutenant Kirley's AT&T cell phone records from the Town of Salemand noted from 11:34 pm to 11:42 pm Lieutenant Kirley made four (4) cell phone calls to Officer Dempsey's cell phone The cell phone records indicate an incoming call from Sergeant Dempsey at 11:44 pm. At 11:45, Lieutenant Kirley received an incoming call from Deputy Chief Smith that lasted two minutes. The next and last call indicated on Lieutenant Kirley's cell phone for June 28th is at 11:54, to Sgt. Nick Manent
Lieutenant Kirley told this investigator he first heard of the party when the first call came into Salem Dispatch, he had no prior knowledge of a house party at the Kattar residence and never notified Deputy Chief Smith when the police received a complaint.



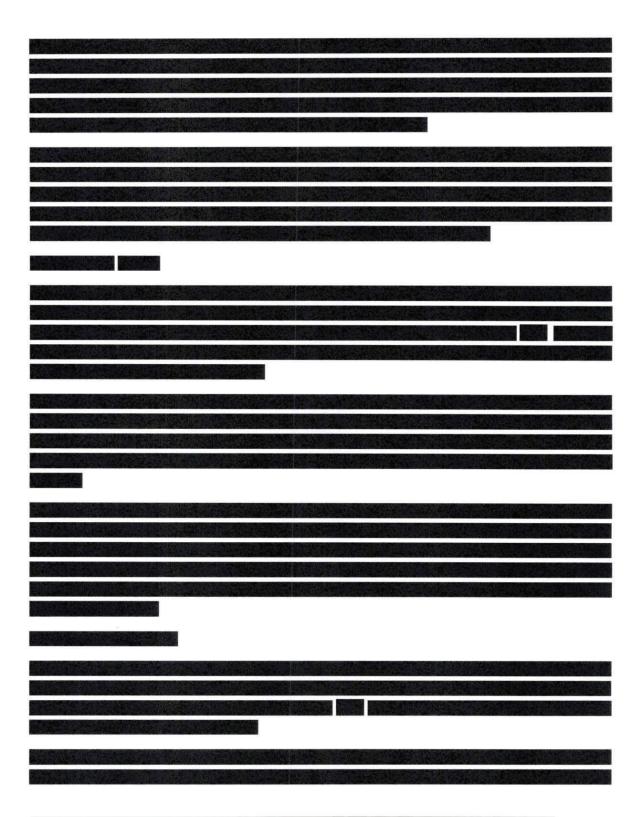
Captain Joseph Keating Salem Police Department

On October 30, 2024, I interviewed Captain Joe Keating at the Salem Police Department. Captain Keating is the Operation Bureau Commander; he was working an extra duty detail with Captain Jason Smith the evening of June 28, 2024.

Captain Keating told this investigator he worked overtime at the Canobie Lake Park detail from 4:00 pm until 10:30 pm (ATTACHMENT E). Captain Keating drove his issued cruiser to the detail; and he drove directly home after the detail was completed. Captain Keating had his issued portable radio with him during and after the detail. When he returned home before 11:00 pm that evening, he either left the portable in his cruiser or in a backpack he carries.

Captain Keating told the investigator he had no prior knowledge of the party at the Kattar
and did not know about the police response there until he read an email sent to him by Sergeant Nicholas Manent on June 29 th
(ATTACHMENT F).
Captain Keating voluntarily supplied this investigator with his personal T-Mobile cell phone records for Captain Keatings issued town cell phone with AT&T records for given to this investigator by the town. This investigator reviewed these records and did not identify any calls received or made by Captain Keating on either his personal or town issued cell phone between 11:10 pm and 11:17 on June 28, 2024. T-Mobile supplied a list or phone numbers texted from or received by Captain Keatings personal cell phone. This investigator did not identify any text messages sent or received by Captain Keating that were made during this same time period (ATTACHMENT G).









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THE REPORT OF THE PERSON OF TH
James Kattar Homeowner of
On November 5, 2024, this investigator spoke with James Kattar. Mr. Kattar and his wife hosted the party on June 28, 2024, at their home Mr. Kattar told this investigator that he and Deputy Chief Shane Smith have been friends for a number of years,
·
Mr. Kattar told this investigator that, during the evening, the party became so big
A STATE OF THE STA
Mr. Kattar explained that when the police arrived, he was only focused on cooperating (with the police)
Mr. Kattar told this investigator that his wife informed him the next day that a rumor had been circulating
Mr. Kattar had no direct
knowledge
Mr. Kattar told this investigator that a period of time after the party, he was performing maintenance on the sprinkler system at Attorney Gerard LaFlamme's home. Attorney LaFlamme has been friends and a client of Mr. Kattar's sprinkler company for a number of years. Mr. Kattar told Attorney LaFlamme he was issued a summons
Attorney LaFlamme told Mr.



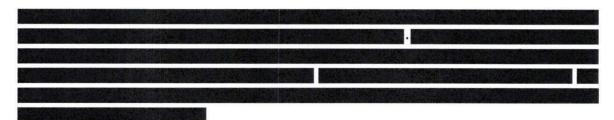
Kattar he definitely needed an attorney and that he would represent Mr. Kattar at his court appearance.

Mr. Kattar told this investigator that, days after speaking with Attorney LaFlamme, he received a phone call from Mr. Morin. Mr. Morin told Mr. Kattar he was working for Attorney LaFlamme and investigating what occurred the night of his house party. Mr. Morin told Mr. Kattar his investigation might help him, but he was conducting the investigation on his own for Attorney LaFlamme because Morin had an issue or vendetta with the town. Mr. Kattar did not recall the exact quote from Mr. Morin. Mr. Kattar told this investigator that he did not request an investigator be hired to review what occurred during the party, or about the police response to his home that evening.

This investigator asked Mr. Kattar if he was billed for Mr. Morin's investigation by Attorney LaFlamme. Mr. Kattar told this investigator he was told by Attorney LaFlamme an investigator was hired; however, he has not received an invoice from Attorney LaFlamme outlining any cost for his representation. Mr. Kattar suggested this investigator speak with Attorney LaFlamme about how Mr. Morin was retained.

Note: This investigator contacted Attorney LaFlamme on November 12, 2024, and left a message indicating I wished to speak with him as part of my investigation. As of November 22, 2024, Attorney LaFlamme has not returned the call.

This investigator asked Mr. Kattar if, while playing golf a few days before the party, Deputy Chief Smith told him he would "deflect" for Mr. Kattar if anything happened at the party. Mr. Kattar told this investigator he did play golf with Deputy Chief Smith days before, but that the party was never discussed, nor did Deputy Chief Smith ever tell him he would deflect for him if there was a problem at the party.



Officer Joseph DeFeudis Salem Police Department

On November 4, 2024, Officer DeFeudis was interviewed at the Salem Police Department. Also present for this interview was Attorney Marc Beaudoin representing the Patrolman's Union. Officer DeFeudis has been with the Salem Police Department for 16 years. On June 28, 2024, Officer DeFeudis was working an extra duty detail at Chasers Poker Room in Salem from 9:00 pm



until 3:00 am, June 29, 2024. Officer DeFeudis told this investigator that he had his portable radio with him during this entire detail. Officer DeFeudis did not recall hearing officers dispatched to a loud party that evening. He explained that the atmosphere most of the evening inside the poker room is very noisy and it is difficult to hear radio transmissions while inside the building. Officer DeFeudis told this investigator he does not utilize an earpiece to monitor radio transmissions during the detail.
Officer DeFeudis told this investigator he learned of the accusations against Deputy Chief Smith days after the incident when he returned to duty, and that he has no direct knowledge about the party or any actions of the officers who responded.
Officer Paul Benoit Salem Police Department
On November 4, 2024, Officer Benoit was interviewed at the Salem Police Department. Attorney Beaudion was also present for this interview. Officer Benoit has been with the Salem Police Department since 2002. On June 28, 2024, Officer Benoit was working a patrol shift from 4:00 pm to 12:00 pm. Officer Benoit told this investigator he had heard the initial call from dispatch for the loud party on After the first units arrived and reported individuals had run from the area into the woods, he was dispatched to Paradise Place, which is at the top of Stanwood Road
Upon arriving in that area on Stanwood Road, he exited his cruiser and began walking on foot with other officers around the homes that were under construction. While on foot he observed a vehicle coming up Stanwood Road and turning around near the cruisers that were parked. Officer Benoit began walking out of the wooded area to get a better look at the vehicle. Officer Benoit noted the vehicle was a Jeep being operated by a female with blonde hair. He observed the vehicle stop Officer Benoit walked closer and radioed into dispatch the vehicle license plate number. Officer Benoit told this investigator that he attempted to catch up to the vehicle as it drove away, however, he was too far away to catch up to it on foot.
Dispatch asked Officer Benoit to repeat the license plate number, which he did. Dispatch transmitted back to Officer Benoit the vehicle was
After searching the remainder of the area Officer Benoit
returned back to his cruiser and spoke with other officers who Officer Benoit told this investigator he had no previous knowledge about the party on and that he never notified Deputy Chief Smith or any other officer they were responding to the loud party. Officer Benoit heard about the accusations



Officer Benoit told this investigator that body camera footage would give an accurate account of what he saw while on Stanwood Road that evening. Officer Sean Wilson Salem Police Department On November 4, 2024, Officer Wilson was interviewed at the Salem Police Department. Attorney Beaudion was also present for this interview. Officer Wilson has been employed by the Salem Police Department for ten (10) years. Officer Wilson told this investigator he was working from 4:00 pm to 12:00 pm on June 28, 2024. Officer Wilson was at the police station completing paperwork when he heard the call for the loud party on the second officers reporting Officer Wilson told this investigator that he was instructed to drive the department transport van from the police station to the scene Officer Wilson told this investigator that he brought the van to Officer Wilson told this investigator that he had no prior knowledge of the party on nor had he ever called or notified any members of the department to inform them the police were responding to the party. Scott Deschene Dispatcher, Salem Police Department On November 4, 2024, Dispatcher Deschene was interviewed at the Salem Police Department. Dispatcher Deschene was working from 4:00 pm to 12:00 pm on June 28, 2024. Dispatcher Deschene told this investigator because this incident occurred in June, he reviewed dispatch logs and listened to audio recordings for that shift before this interview to refresh his memory about what took place. Dispatcher Deschene told this investigator the first call for a loud party at came into dispatch from a neighbor at 11:10 pm. A second call came into dispatch from 911 and was an anonymous female caller reporting possible underage drinking at the same location. Detective Carlin, who was working with him in dispatch, took both calls; then Dispatcher Deschene dispatched Officer Peters at 11:11 pm. According to Dispatcher Deschene, Officer Peters arrived at at 11:17 pm and He dispatched other officers to to assist; some officers were sent to Stanwood Road, which was adjacent to



Dispatcher Deschene told this investigator that Officer Benoit radioed in a plate number of a vehicle he observed on Stanwood Road at 11:30 pm. Dispatcher Deschene noted the exact time he radioed in this plate from the audio recording he reviewed. After having Officer Benoit repeat the license plate number, Dispatcher Deschene utilized the Local Access Network in dispatch to get a listing off the plate (ATTACHMENT H). The license plate radioed into dispatch was registered on a Jeep Wrangler. Dispatcher Deschene then transmitted this information to Officer Benoit. It was brought to his attention, after he transmitted the information to Officer Benoit, by Lieutenant Kirley who came into the dispatch room to monitor the transmissions. Dispatcher Deschene told this investigator that the times he entered into the IMC log that evening might be off from the times radio transmissions were actually made because that particular evening shift was busy; there is often a delay in a transmission or incident being put in the log because he could have been occupied at that moment doing another task. Dispatcher Deschene told this investigator he had no prior knowledge of the party on and had never notified anyone other than the units he'd dispatched that the police were responding to this area. Officer Joshua Peters Salem Police Department On November 4, 2024, Officer Peters was interviewed at Salem Police Department. Attorney Beaudion was also present for this interview. Officer Peters has been with the Salem Police Department for just under two (2) years and was working the 4:00 pm to 12:00 pm shift on June 28, 2024. Officer Peters told this investigator he was the initial officer dispatched to evening for a loud party sometime after 11:00 pm. When Officer Peters arrived, he radioed to Officer Peters believed dispatch Sergeant Manent arrived just after him; and then began to make his way up to the residence where the party was and spent the remainder of the time at the residence Officer Peters told this investigator he was not aware vehicle being seen on Stanwood Road until a few days later. He did not have prior knowledge of the party and did

not notify any member of the department that he was responding to this call.



Note: At the conclusion of these interviews Attorney Beaudion informed this investigator he was not going to attend any further interviews with officers unless they requested he be present. Attorney Beaudion suggested further interviews might be conducted by phone if officers agreed to contact this investigator in order to facilitate a quicker resolution to this investigation.

Sergeant Nicholas Manent Salem Police Department

On November 5, 2024, this investigator received a phone call from Sergeant Manent; he'd contacted this investigator by phone to be interviewed regarding this investigation. Sergeant Manent has been employed by the Salem Police Department for seven (7) years and was he shift supervisor on the 4:00 pm to 12:00 pm shift, June 28, 2024.

Sergeant Manent told this investigator that he responded to the loud party complaint on
after he heard Officer Peters get dispatched and heard the information that a second
call reported underage drinking. When he arrived just after Officer Peters, he observed Officer
Peters speaking with an individual
Sergeant Manent directed other officers to respond to Stanwood Road
Sergeant Manent spent the rest of the time at the residence where the party was being held
He also instructed the officers who were located
on Stanwood Road
Sergeant Manent told this investigator he had no prior knowledge this party was taking place, and he did not call any members of the department to inform them they were responding.
Sergeant Manent sent an email to Captain
Keating at 1:22 am on June 29th, outlining what had taken place during this incident.
(ATTACHMENT F).
Sergeant Joshua Dempsey Salem Police Department
On November 5, 2024, Sergeant Dempsey contacted this investigator to be interviewed regarding this investigation. Sergeant Dempsey has been employed by the Salem Police Department for twelve (12) years and was working an overtime shift as a patrol officer on June 28, 2024. Segreant Dempsey told the investigator he heard the dispatched call to Officer Peters for a loud party on

After Sergeant Manent arrived at the call, Dempsey was instructed to go to



the top of Stanwood Road to assist
Sergeant Dempsey told this investigator he heard Officer Benoit, who was on Stanwood Road on foot, call in a plate number; . Sergeant Dempsey told this investigator he did not have prior knowledge the party was taking place that evening and he never called any member of the department to inform them the police were responding. Sergeant Dempsey spoke with Officer Benoit at one point asking who might have been in the vehicle but that was the extent of the conversation.
Officer James Carlin Salem Police Department
On November 12, 2024, Officer Carlin contacted this investigator to be interviewed regarding this investigation. Officer Carlin has been employed by the Salem Police Department for six (6) years. Officer Carlin apologized for his delay in contacting this investigator, explaining he had just returned to duty from training in Pennsylvania.
Officer Carlin told this investigator he was working an overtime shift in dispatch from 4:00 pm to

Information into the computer and Dispatcher Deschene dispatched the officers. Officer Carlin told this investigator he heard Officer Benoit call in a license plate number while on Stanwood Road;

After realizing the vehicle ________, Officer Carlin thought he may have said something to Lieutenant Kirley who was in the room, however, he

about loud music coming from a neighbor's home. Officer Carlin said he might have taken a second call about the party; however, he could not recall. After receiving the call, he put the

12:00 pm, June 28, 2024. He remembered taking a call from a resident on

could not be certain after such a long period of time has gone by.

Officer Carlin told this investigator he had no knowledge that the party was taking place until he took the phone call from the neighbor complaining of loud music. Officer Carlin did not call any members of the department to inform them officers were responding to this call.

Christopher Markey Officer, Salem Police Department

On November 6, 2024, Officer Markey contacted this investigator by phone to be interviewed regarding this investigation. Officer Markey has been employed by the Salem Police Department for ten (10) years. He was working a 4:00 pm to 12:00 pm shift on June 28. 2024.



Officer Markey told this investigator he and his trainee Officer Amardeep Singh were dispatched
to the party on after the initial officer arrived and
Officer Markey was either the third or fourth officer to arrive on
Officer Markey and Officer Singh took
Officer Markey told this investigator he had no prior knowledge of the party on and neither he nor Officer Singh notified any member of the department officers were responding to Officer Markey told this investigator he has no knowledge of any member of the department making a call to Deputy Chief Smith giving him advance notice they were responding to this party.
Ben Wilson Officer, Salem Police Department
On November 8, 2024, Officer Ben Wilson contacted this investigator by phone to be interviewed regarding this investigation. Officer Wilson has been employed by the Salem Police Department for 2 ½ years and was working 4:00 pm to 12:00 pm on June 28, 2024.
Officer Wilson told this investigator he was dispatched to after officers reported people leaving the party and running into the woods behind the residence. Officer Wilson was sent to the top of Stanwood Road
When he arrived on Stanwood Road, he got out of his cruiser and began walking around the construction site with other officers. Officer Wilson
Officer Wilson told this investigator he was in close proximity to Officer Benoit while on foot, and observed a Jeep Wrangler drive up Stanwood Road and turn around near the cruisers. Officer Wilson did not see anyone get into the jeep, he heard Officer Benoit radio in a plate number and heard dispatch transmit back to Officer Benoit the Officer Wilson immediately recognized
Officer Wilson told this investigator he did not have prior knowledge of the party on and never called any member of the department to inform them they were responding to the party. At the time Officer Wilson heard the transmission that the Jeep Wrangler



SUMMARY

The times referred to in the Maverick Investigative report were documented by utilizing the IMC Dispatch Logs and not the body or cruiser video footage this investigator utilized to document the events.

The body camera video from Officer Peters, who was the first officer dispatched to reveals he arrived and confronted and met with Officer Peters at 11:18 pm. Sergeant Manent's body camera reveals he arrived and met with Officer Peters at 11:18. This is seven (7) minutes after Officer Peters was dispatched to

The cruiser video from Officer Benoit reveals he arrived on Stanwood Road and exited the cruiser at 11:27 pm and begins walking in the area. Officer Benoit's body camera shows him observing a vehicle driving up Stanwood Road while he is standing in the woods at 11:29 pm. The body camera shows Officer Benoit walking towards this vehicle at 11:30 pm just as the vehicle appears to be driving off. Officer Benoit radioed in the and the dispatcher asks him to repeat the plate. The dispatcher transmits the owner's information back to Officer Benoit and the vehicle is seen driving away from the area. It is clear to this investigator Officer Benoit could not catch up with this vehicle before it drove off because he was on foot.

In the Maverick Investigation Report, Mr. Morin assumes Officer Benoit radioed in the plate number he observed on Stanwood Road at 11:21 pm which is the time entered in the IMC Dispatch Log that Officer Benoit arrived on Stanwood Road. Officer Benoit's body camera footage indicates the accurate time he radioed the plate to dispatch as being 11:30 pm.

This investigator also obtained a screen shot from Local Access Network Dispatcher Deschene that was utilized to obtain the owners' information off the license plate radioed in by Officer Benoit. This screen shot indicates this vehicle information was accessed by the network at 11:30 pm on June 28, 2024 (ATTACHMENT H)).

On November 4, 2024, this investigator drove from to the top of Stanwood Road where officers parked their cruisers on June 28th. Driving with normal traffic beginning at 12:39 pm and arriving at the top of Stanwood Road at 12:45 pm it took six (6) minutes. This investigator notes that it is more likely that traffic was heavier at this time of day than would have been the case at the time of the calls for service on



whether the difference in traffic conditions would have impacted the travel time is not known.
This investigator reviewed personal and town cell phone records from Command Staff Members. These records also provide accurate information as to when calls were received or made during the date and times in question.
Deputy Chief Smith personal cell phone records indicate he did not make or receive any calls after 9:57 pm, 1997 pm, 199
The information documented in the Maverick Investigation Report indicates that calls may have been made sometime after the report of the party was made to Salem
Police at 11:10 pm, Market Mar
he had no direct knowledge of
his information came from individuals who heard rumors
FINDINGS
With respect to the allegation Deputy Chief Shane Smith received advance notice that the police were responding to that location, police were responding to that location,
There is no evidence available to support the allegation. This investigator finds this allegation to be ${\color{red} {\bf UNFOUNDED}}.$



With respect to the allegation that Deputy Chief Shane Smith discussed the house party
while playing golf with Mr. Kattar days before and told him that he would "deflect" for
Mr. Kattar if there were any problems at the party:

There is no evidence available to support the allegation. This investigator finds this allegation to be <u>UNFOUNDED</u>.

Respectfully submitted,

MUNICIPAL RESOURCES, INC.

ATTACHMENT A



WILLIAM J. BARRON GERARD R. LAFLAMME, JR.

AT LAW

LAFLAMME, BARRON & CHABOT

A LIMITED LIABILITY PARTNERSHIP

114 KENOZA AVENUE

HAVERHILL MASSACHUSETTS 01830

TEL 978/521-4737

FAX 978/373-6859

September 17th, 2024

Jason Grosky, Prosecutor Salem Police Department 9 Veterans Memorial Parkway Salem, New Hampshire 03079

RE: State of New Hampshire v. James Kattar

Dear Attorney Grosky:

As always. I do hope this finds you well.

Confirming our brief discussion about three weeks ago, on the Kattar case, I have enclosed the Final Investigative Case Report prepared by Maverick Investigative Services, LLC.

In reviewing the report, and all the discovery in this case, it is pretty clear to me that there is sufficient circumstantial evidence to suggest that Deputy Chief Shane Smith notified his two sons Logan and Caden who were at the Kattar residence that a raid by the Salem Police Department was about to take place, and that they should meet their mother at the top of Stanwood Road. I suppose one scenario could be that the Smith boys ran from the party, called their mother who left their house at 11:00 PM, arrived at the top of Stanwood Road, immediately prior to Salem Police arriving. That quite frankly seems to me a bit unlikely.

If in fact Deputy Chief Smith did tip off his sons, and that is clearly is a violation of RSA 643:1 (Official Oppression). In speaking with my client, he wishes me to report this to the Attorney General's Office, as well as the Salam Observer I have indicated.

with you. I have also told Mr. Kattar that I will send a formal letter to Chief Dolan requesting an Internal Investigation until you and I have spoken.

After you had a chance to review the report, please do not hesitate to give my office a call.

Sincerely,

Gerard R. LaFlamme, Jr.

Gerard R. LaFlamme, Jr.

GRL/dw Enclosures

CC: James Kattar

ATTACHMENT B



Dolan, Joel			
From: Sent: To: Cc: Subject:	Rob Morin <robmorin@maverickinvestigations.net> Wednesday, August 28, 2024 3:42 PM Dolan, Joel Devine, Joseph Hitching Post Ln.</robmorin@maverickinvestigations.net>		
	originated from outside Salem. Do not click links or open attachments unless you and know the content is safe. Thanks Salem IT Department		
I suspect you have also reviewed obvious what was going on at Hi	d the police reports and recognize some major training issues that must be addressed. While it is tching Post Ln. that evening, the establishment of probable cause is suspect at best. I'm sure you gnize that you have a very young agency, but I hope that you expect more from your supervisors.		
more serious allegation. I am pe complainant to reach out to you	above are not the reason I reached out to you on 7/31. I am confident that you are well aware of the explexed by your apparent inaction. You indicated in your brief response that I should tell the directly, which seemed to indicate that an anonymous complaint would not suffice. GO #IR-7 ations, Section II, Policy states otherwise:		
conducted in an open and fair m	and documented, including anonymous complaints. Any investigation based on a complaint will be anner, with the truth as the primary objective. The Salem Police Department shall accept all or their employees and will fully investigate all such complaints.		
shall be dealt with in a fair and in	es and Regulations, Code of Conduct, Policies and Procedures, and all other directives which occur inpartial manner, and in accordance with the Collective Bargaining Agreements in place with the Town ciplinary action is taken, the employee shall receive a copy of the documented discipline issued.		

What is undeniable is that Officer Benoit called at the top of Stanwood Rd. contemporaneously with the response to Hitching Post Ln. Clearly heard on the Dispatch Communication I received is Benoit advising the "Jeep' is occupied by a "female with Blonde hair". Dispatcher Deschene does read back the registered owner info, which is toned out due to the Driver Privacy Act. What is

I also have reason to believe that Lt. Kirley attempted to call Shane right after that incident. Shane refused to answer the phone, but he was nice enough to text Kirley back "Sleeping".

I have already confirmed that Shane's Town cell phone number is different from what I know his personal cell number to be. The same holds true for Captain Keating and yourself. Captain Smith is the only one of the Senior Command whose personal cell number and Town cell number are the same.

I also know that Shane and Joe's Town cell numbers are clear. That said, I have reason to believe that Bob Kirley called Shane's personal cell number, which would constitute Town business, and therefore discoverable by you and certainly TM Devine.

Simply but. Shane can't be exprerated unless his personal cell number is clear

No Joel, I will not not let this go.

I expect that an Internal investigation will commence to determine if any General Orders were violated and it won't be hard to sustain that. Of course, during the pendency of the Criminal Investigation,

Frankly, I'm appalled that you have allowed him to continue at the NA. At a minimum, you have known about this concern since 7/31, but I suspect much sooner than that.

Consider this a formal complaint and since some genius decided to release Marino's IA, even though it wasn't requested, you can bet I will be requesting the results of this investigation as well.

You don't want to see this on RobbiLeaks nor do I want to put it there which is why I reached out to you on 7/31. Make no mistake, I will do what I believe needs to be done if you don't see this through.

Rob

ATTACHMENT C



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Page: 1

Priority Duplicate Arrest(s) Mado 06/28/2024 2328 333 - Deschere, Scott KATTAR, JAMES 8 14 HITCHING POST LN - SALEM, NH 03079 06/29/2024 0007 333 - Deschene, Scott GOWZALEZ, FELIX IJIS @ 06/29/2024 0013 333 - Deschena, Scott 06/29/7024 0016 333 - Deschene, Scott MCHALES, MAKISSA @ 06/29/2024 0017 333 - Deschene, Scott TILLY, KIERA JOLIE 9 06/29/2024 0031 333 - Deschene, Scott GONZALES, PELIX L073 Call Reason For Date: 06/28/2024 - Friday 24-14812 2310:3 Call Source Primary 1d Call Closed by Location/Address Location/Address Porty Entered By: Involved Parky: Party Entered By: Involved Party: Party Entered By

Party Entered By:

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06/29/2024 0118 333 - Deachene, Scott GERNAN, JEREMIAN 8 Party Entered By: Involved Party: Party Entered By: Party Entered By:

06/29/2024 1709 333 - Deschene, Scott

Party Entered By: Involved Party: Involved Party 06/29/2024 1728 333 - Deschene, Scott 06/29/2024 1730 333 - Deschene, Scott

06/29/2024 1733 333 - Deschene, Scott 06/29/2024 1732 333 - Deschene, Scott

Party Entered By: Involved Party:

Involved Party:

06/29/2024 1733 333 - Deschane, Scott

06/29/2024 1734 333 - Deschene, Scott

Party Entered By: Involved Party: Involved Party:

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> Arvd-23:21:09 Clrd-06/29/2024 8 01:49:16 Arvd-23:21:09 Clrd-06/29/2024 @ 00:44:34

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185 - Manek, Sicholas
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186 - Catlin, James
187 - Bajlay, Justin
110 - Bencik, Paul
110 - Bencik, James
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199 - Powden, Nicholas 158 - Nolan, Connor 150 - Gomez, Argenia

Arvd-00:22:44 Clrd-06/29/2024 8 00:56:31

Arvd-00:17:46 C1rd-06/29/2024 8 00:40:25

Arvd-00:14:48 Cird-06/29/2024 8 00:55:47

Arvd-00:22:48 Clrd-06/29/2024 @ 00:56:34

06/28/2024 2320 Deschane. Scott 116 - White, Michael

96/28/2024 2321 Carlin, James

Narratives Narrative:

Narrative:

06/28/2024 2322 Deschane, Scott Officers are checking the surrounding streets.

06/28/2024 2324 Deschene, Scott

Narrative:

05/28/2024 2336 Descheme, Scott

ATTACHMENT D



CANOBIE	POLICE DEPARTMENT Police Officer Detail Slip
Day of Week: Friday Mor	th: 6 Day: 28 Year: 2024
Officer Name: (Please Print):	Contene II Ves II NO
Agency Name (If other than SPD): Detail Location (Check One): Traffic (G	Inside Park
Other:	2230 (15)
Time In: 1600	Time Out: 2250 CLP Office Signature: 100 Press
Officer Signature: Distribution: White Canobje Lake Park Yellow	Salem PD Rev 4

ATTACHMENT E





POLICE DEPARTMENT

Police Officer Detail Slip

	1
4	1

Rev. 4 119

LARE PARK			
Day of Week: Endery	Month: June	Day:23	Year: 200 Y
Officer Name: (Please Print): Jo	ceph Keating	1600 Badge #: _	141
Agency Name (If other than SPD);	SPD	Cruise	Yes No
Detail Location (Check One):	Traffic (Gales) Traffic Other:	(Intersection) I1	nside Park
		C	
Time In: 11000	Time Out:	2330 (6	(he)
Officer Signature:	Kelly CLP Office	ce Signature: Zolina	The
Distribution: White Canobie Lake Park	Yellow Salem PD		

ATTACHMENT F



Keating, Joe Manent, Nicholas Sent: Saturday, June 29, 2024 1:22 AM Keating, Joe Subject: We did not have the man power or paper work to summons anyone on scene, everyone brought back to the PD was summonsed or released appropriately. Any questions please call me. Manent. Sent from my iPhone Before printing think green; read on the screen. This message contains information intended solely for the individual named. Please notify the sender immediately by email if you have received this e-mail by mistake and delete this e-mail from your system. E-mail sent and received on the Town's system is subject to potential disclosure under N.H. R.S.A. 91-A and in litigation unless exempt by law. Users of the e-mail system should be aware that e-mail is not a private or confidential means of communication.

ATTACHMENT G

Redacted



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