



The Commonwealth of Massachusetts
Department of State Police

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

THOMAS A. TURCO, III
SECRETARY

COLONEL CHRISTOPHER S. MASON
SUPERINTENDENT

Division of Standards and Training
Internal Affairs Section
470 Worcester Road
Framingham, Massachusetts 01702

January 24, 2020

To: Captain Daniel G. Richard #2564, Commanding Officer - Internal Affairs Section
From: Detective Lieutenant Laura M. Hayes, #2630, Internal Affairs Section
Subject: Internal Affairs Section Investigation #2019-0023
Trooper Andrew M. Patterson, #3856, DFS, Troop A, Revere Barracks

FACTS OF THE CASE

1. On Tuesday, June 25, 2019, I was assigned by Captain James O’Leary (retired) to investigate allegations of misconduct and alleged violations of law involving Troopers Andrew Patterson #3856 (hereinafter referred to as “Patterson”) and Stephen Thomson #4048 (hereinafter referred to as “Thomson”). I learned that on Monday, June 23, 2019, then Major (now Lieutenant Colonel) Richard M. Ball was contacted by Chief William Baker of the Foxborough Police Department regarding an incident that occurred during a concert at Gillette Stadium in Foxborough, Massachusetts State Police on Friday, June 21, 2019, involving both Patterson and Thomson. Chief Baker forwarded a report which had been drafted by [REDACTED] of the Foxborough Police Department (hereinafter referred to as “[REDACTED]”) was working a detail at that concert and had responded to the incident. [REDACTED]’s report described a physical altercation that occurred and an alleged indecent exposure by Patterson. The report stated that all parties involved in the incident were allowed to leave and no one wished to press any criminal charges at that time. Chief Baker assigned Lieutenant Michael Grace (hereinafter referred to as “Grace”) of the Foxborough Police Department to conduct a follow up investigation into the indecent exposure incident. Major Ball thereafter sent a request to Lieutenant Colonel Richard S. Warmington to initiate an Internal Affairs investigation into the conduct of Patterson and Thomson. A copy of Major Ball’s To/From requesting a personnel investigation is attached as Exhibit #1.

EXHIBIT #1

2. On Monday, June 24, 2019, Troop A Commander Major Pasquale Russolillo (retired) ordered SP Revere Station Commander Lieutenant Walter Hanley to meet with Troop A Executive Officer Captain Brian Moran for the following purpose:

- 1.) Relieve Patterson of his official duties;
- 2.) Secure all of his issued MSP equipment including his cruiser; and
- 3.) Advise him of his pending Duty Status hearing on Wednesday, June 26, 2019 at GHQ.

On Tuesday, June 25, 2019, Lieutenant Hanley advised Major Russolillo via a To/From letter that his order had been complied with and included the list of the MSP equipment that had been secured. (See attached To/From).

On Tuesday, June 25, 2019, Division of Field Services Lieutenant Colonel Robert J. Favuzza issued Division Commander's Order #19-DFS-051 in accordance with Rules and Regulations 6.1.3, placing Patterson on Administrative Leave [REDACTED]. Said leave was effective Tuesday, June 25, 2019, for a period not to exceed five (5) days. A Duty Status hearing was scheduled for Wednesday, June 26, 2019, at GHQ. This Division Commander's Order was executed by MSP Colonel Kerry A. Gilpin (retired).

On Tuesday, June 25, 2019, Lieutenant Colonel Favuzza issued Division Commander's Order #19-DFS-052 establishing a Duty Status Hearing Board which appointed Major Brian J. Watson, Division of Administrative Services; Captain Bruce F. Hiorns, Division of Administrative Services; and Captain David M. Gallagher, Division of Field Services, (hereinafter referred to as the "Board"). This Division Commander's Order was executed by MSP Colonel Kerry A. Gilpin.

On Tuesday, June 25, 2019, I emailed Patterson advising him that he had been identified as the subject of an official Internal Affairs Section investigation regarding alleged misconduct at Gillette Stadium on June 21, 2019. The misconduct involved a physical altercation and an indecent exposure. Copies of Lieutenant Hanley's To/From and Division Commanders Orders #19-DFS-051 and 19-DFS-052 have been submitted as Exhibit #2. A copy of Patterson's subject notification letter has been submitted as Exhibit #3.

EXHIBIT #2

EXHIBIT #3

3. On Wednesday, June 26, 2019, a Duty Status hearing was conducted at General Headquarters. Patterson did not appear but was represented by SPAM Counsel, Attorney Daniel Moynihan. In addition to the Board and Attorney Moynihan, Troop A Lieutenant Michael Harvey, SPAM Representative Dale Jenkins (hereinafter referred to as "Jenkins") and Employee Assistance Unit [REDACTED] Edward Hartwell (hereinafter referred to as "Hartwell") were present at the hearing. The Foxborough Police Department Incident Report written by [REDACTED] #19-FOX-716-OF, was submitted into evidence at this hearing. Also submitted were previous newspaper articles describing Patterson's shooting of an armed assailant and Patterson's brother, Matthew Patterson's involvement in the Boston Marathon Bombings.

After the hearing, the Board recommended the following:

- A. Patterson shall be suspended [REDACTED]
- B. Patterson shall be referred G.L. c. 4, sec. 7, cl. 26 (c)(medical)
- C. Patterson shall be referred G.L. c. 4, sec. 7, cl. 26 (c)(medical)
- D. Patterson shall be referred G.L. c. 4, sec. 7, cl. 26 (c)(medical).

The Board completed the Duty Status Checklist indicating what MSP equipment had been secured. Copies of Foxborough PD Incident Report 19FOX-716-OF, the text message thread recovered 6/21/2019, and newspaper articles regarding Patterson are attached as Exhibit #4. A copy of the duty status hearing recommendation and checklist are attached as Exhibit #5.

EXHIBIT #4
EXHIBIT #5

4. On Monday, July 15, 2019, I sent an email to Gillette Stadium [REDACTED] [REDACTED] [REDACTED] requesting any and all incident reports and/or surveillance video relative to the concert on June 21, 2019. On Tuesday, July 16, 2019, Mr. [REDACTED] supplied me with Incident Report #0000012949 written by Security Officer [REDACTED]. The report stated that at 10:43 p.m., officers responded to a report of a fight. The individuals involved were identified as [REDACTED] (hereinafter referred to as [REDACTED]) and Patterson. Patterson punched [REDACTED] in the nose causing injury to his nose and upper lip. A third party, not identified, had blood on his shirt. All parties were moved to the first aid station. Patterson was released. [REDACTED] indicated in her report it was unknown if [REDACTED] had decided to press charges against Patterson. A copy of Gillette Stadium Incident Report #0000012949 is attached as Exhibit #6.

EXHIBIT #6

5. On Friday, August 16, 2019, Grace notified Captain O'Leary via email that a criminal complaint was being sought in the Wrentham District Court against Patterson for one count of Lewd, Wanton & Lascivious Conduct, M.G.L. Chapter 272, section 53(E). This complaint was the result of an investigation conducted by Foxborough Police Detective Patrick Morrison. A show cause hearing was scheduled for Thursday, October 24, 2019, with the court at the request of Attorney Moynihan. I arrived at Wrentham District Court on Thursday, October 24, 2019, and observed several news agencies in attendance. The clerk's hearing was not open to the public. At the conclusion of the hearing, I was informed by Attorney Moynihan that the complaint against Patterson had been issued and his arraignment on the charge was scheduled for Friday, November 8, 2019.

Once the media learned of the issuance of the complaint, several news media outlets began reporting on the incident via television and newsprint.

I obtained a certified copy of the Court Docket along with the Foxborough Police Department Incident Report #19-FOX-216-WA which had been submitted as the basis for probable cause. The following is a summary of that report:

On Friday, June 21, 2109, Foxborough Police [REDACTED] and his partner, Foxborough Police [REDACTED] were working an assigned detail at Gillette Stadium. At approximately 10:30 p.m., they were dispatched to a fight in the floor area of B5. Upon arrival, they located a male party, identified as [REDACTED]. His face was covered in blood. [REDACTED] stated that he did not know the name of the person who had punched him. [REDACTED] told [REDACTED] that Patterson's friend had identified both of them as Massachusetts State Troopers and they both left the area after the physical assault. [REDACTED] escorted [REDACTED] and his girlfriend, [REDACTED] (hereinafter referred to as [REDACTED]) to the first aid station for medical treatment. While there, [REDACTED] told [REDACTED] that since the beginning of the concert, the male party (later identified as Patterson) was extremely intoxicated and inappropriate to both her and [REDACTED]. [REDACTED] explained to [REDACTED] the man had eaten their popcorn and had sat in [REDACTED]'s seat, when asked to move the man motioned for him to sit on his lap. [REDACTED] told [REDACTED] at one point the man began masturbating next to them. [REDACTED] told Sergeant [REDACTED] "he removed his penis from his shorts and started stroking it." Sergeant [REDACTED] asked [REDACTED] if she could see his penis. [REDACTED] told [REDACTED] that she, [REDACTED] and a few of their friends "all saw his penis and saw him masturbate." [REDACTED] told [REDACTED] they attempted to notify security but could not get a Wi-Fi signal. [REDACTED] said the man's friend (later identified as Thomson) and a female (later identified as [REDACTED]) removed him away from their area. All three eventually returned and the man began dancing and recording on his cell phone. [REDACTED] told [REDACTED] that the man began being inappropriate toward [REDACTED] and as a result, [REDACTED] knocked the cell phone from the man's hand. The male party then punched [REDACTED] in the nose knocking him to the ground. [REDACTED] grabbed a chair and threw it in the direction of the man and his friend. The two men left the area. [REDACTED] showed [REDACTED] a series of text messages she had sent to her friends throughout the night detailing the inappropriateness of his behavior. [REDACTED] located and identified Patterson and Thomson. The person who had been masturbating was identified as Patterson. [REDACTED] told [REDACTED] that he did not want to pursue any charges against Patterson regarding the assault and battery. In speaking with both Patterson and Thomson, [REDACTED] determined Patterson was "extremely intoxicated his speech was thick and slurred." [REDACTED] said that Patterson, Thomson and [REDACTED] Patterson had denied that Patterson had been masturbating.

During the course of Detective Morrison's investigation, he viewed the texts and Facebook posts of [REDACTED] and [REDACTED] made during the concert. Detective Morrison took a screen shot on his cell phone of that material. Detective Morrison interviewed [REDACTED] on Wednesday, June 26, 2019. In Detective Morrison's report [REDACTED] described Patterson as "thoroughly intoxicated from the moment he saw him." [REDACTED] explained Patterson could barely stand up. [REDACTED] said during the intermission, [REDACTED] motioned to him to look over at Patterson who was seated next to her. [REDACTED] said he immediately looked over at Patterson and saw that his zipper to his pants was unzipped and his penis was exposed through the zipper area. Shortly thereafter, Patterson's friends (Thomson and [REDACTED]) got him out of

there. [REDACTED] attempted to notify security on the Gillette Stadium app but could not get through. [REDACTED] then sent a Facebook post about what had just happened. On the Facebook post were [REDACTED] and [REDACTED] in that thread, wrote, "sick bastard even pulled out his [eggplant emoji.]" [REDACTED] said that Patterson and his group did return to their seats and he then observed Patterson dancing behind [REDACTED] holding his cell phone. [REDACTED] said it appeared that Patterson was taking a video or picture of himself behind [REDACTED]. Having had enough, [REDACTED] leaned over and knocked the phone out of Patterson's hand. Patterson then punched him in the nose causing injury. [REDACTED] got up and threw a chair in Patterson's direction. [REDACTED] face was full of blood. Thomson then pulled out a police badge and told [REDACTED] that he was in big trouble as they were both troopers. Security arrived and took [REDACTED] and [REDACTED] to the first aid station. Detective Morrison asked [REDACTED] if wanted to pursue charges of Assault and Battery against Patterson, [REDACTED] responded that he did not and felt 'it would be a waste of time.'

According to Detective Morrison's report, he met with [REDACTED] on Monday, July 1, 2019, for an interview regarding the incident at Gillette Stadium. [REDACTED] said she went to the concert with [REDACTED] and three others who she identified as [REDACTED], Jay [REDACTED] and [REDACTED]. They were seated in section B5. Upon returning from the concession area, she observed Patterson sitting in one of their seats and Thomson and [REDACTED] standing behind Patterson. Patterson and Thomson were eating the popcorn which [REDACTED] and [REDACTED] had purchased and had left on their seat. A short time later, she looked over at Patterson who was seated directly next to her and observed his penis pulled through the zipper in his shorts. [REDACTED] observed Patterson "touching his penis outside of his shorts with both hands and was rubbing it." She said Patterson looked to be in a daze. She nudged [REDACTED] to look over at Patterson which he did. [REDACTED] also observed Patterson's penis outside of his zipper and attempted to contact security but could not get through on the app. [REDACTED] believes that Patterson's group must have noticed the commotion and immediately took him away. [REDACTED] said she did post about the incident on Facebook to her friends. She was disgusted and shocked because there were children at the concert. [REDACTED] said Patterson's group returned and not long after, she saw [REDACTED] brush something out of Patterson's hand. Patterson then punched [REDACTED] in the nose which knocked him over and caused blood to fly everywhere. Thomson then pulled out a police badge and identified himself and Patterson as State Police.

A copy of the email from Foxborough PD Lt. Grace to Captain O'Leary advising of the criminal complaint re: Patterson is attached as Exhibit #7. Copies of the request to have the show cause hearing are made public, copy of order denying request to open the hearing, appearance of counsel, summons to defendant, Court's finding of magistrate and police reports supporting probable cause, and criminal complaint docket #1975CR002010 mailed to Patterson are attached as Exhibit #8. Copies of several newspaper articles regarding the Patterson show cause hearing are attached as Exhibit #9.

EXHIBIT #7
EXHIBIT #8
EXHIBIT #9

6. On Thursday, October 24, 2019, Lieutenant Colonel Favuzza issued Division Commander's Order #19-DFS-090 in accordance with Department Rules and Regulations 6.2.1 advising Patterson of a Duty Status hearing scheduled for Friday, October 25, 2019 at GHQ.

On Thursday, October 24, 2019, Lieutenant Colonel Favuzza issued Division Commander's Order #19-DFS-091 establishing a Duty Status hearing to be convened before the same Board from June 25, 2019. This Division Commander's Order was executed by MSP Colonel Kerry A. Gilpin.

On Friday, October 25, 2019, a Duty Status hearing was conducted at GHQ by the Board. I attended this hearing. Also in attendance were Patterson, Attorney Moynihan, Jenkins and Hartwell. I presented the Board with the Wrentham District Court Docket wherein a criminal complaint was issued against Andrew Patterson for one count of Lewd, Wanton & Lascivious Conduct M.G.L. chapter, 272 s.53(E). Included with the docket was the Foxborough Police Department Incident Report #19-FOX-716-OF. Attorney Moynihan gave the Board a copy of M.G.L. chapter, 272, s. 53(E). Attorney Moynihan advised the Board that Patterson, as a veteran, would be eligible for the Brave Act and Attorney Moynihan would be petitioning the court for such relief at Patterson's arraignment on Friday, November 8, 2019. Attorney Moynihan stated that **G.L. c. 4, sec. 7.cl. 26 (c)(privacy), G.L. c. 4, sec. 7.cl. 26 (c)(medical)**

[REDACTED]

Attorney Moynihan also supplied the Board with **G.L. c. 4, sec. 7.cl. 26 (c)(privacy), G.L. c. 4, sec. 7.cl. 26 (c)(medical)**

[REDACTED]

At the conclusion of the hearing, the Board made the following recommendation:

A. Patterson be suspended **G.L. c. 4, sec. 7.cl. 26 (c)(medical)**

The Board also completed the Duty Status Checklist indicating what MSP equipment had been previously secured on Wednesday, June 26, 2019. Copies of Notification of Duty Status Hearing, Division Commanders Order #19-DFS-019, Foxborough PD report, **G.L. c. 4, sec. 7.cl. 26 (c)(privacy), G.L. c. 4, sec. 7.cl. 26 (c)(medical)**

[REDACTED] Copies of the Duty Status Board Recommendation and Personnel Order 10PER511 are attached as Exhibit #11.

EXHIBIT #10

EXHIBIT #11

7. On Friday, November 8, 2019, Detective Lieutenant Denise Doherty attended the arraignment of Andrew Patterson at Wrentham District Court. There were numerous media outlets in attendance. Attorney Moynihan appeared as Patterson's counsel. The case was heard by Judge Hourihan. Upon defendant's motion, Judge Hourihan ruled that Patterson did qualify for the Brave Act under Massachusetts law. Judge Hourihan stated that he would normally put

this case over for a thirty (30) day evaluation, but because **G.L. c. 4, sec. 7, cl. 26 (c)(medical)**, he would dismiss the case. A certified copy of the docket was obtained from the Court. I also requested an official transcript copy of Patterson's arraignment through For the Record (ftr), an on-line service. Copies of the Appearance of Counsel, Notice of Impoundment, Criminal Docket Results #1957-CR002010, and Wrentham District Court transcript are attached as Exhibit #12.

EXHIBIT #12

8. Immediately following the above-referenced arraignment, Patterson exited onto the front steps of the courthouse where numerous news media outlets were present. The full statement was posted on twitter by Boston Herald Journalist Stefan Geller. Patterson proceeded to make the following statement:

<https://twitter.com/StefanGeller/status/1192825795498172416>

"Good morning. My name is Andrew Patterson. I'd like to make a brief statement regarding the *baseless and propagandized accusations that have been levied against me.*

First of all, *these accusations are wholeheartedly false.* As a result of these allegations, I have suffered severe human consequences. My family has been harassed. My reputation has been tarnished. My source of income and health care have been removed. All of this has been done without due process, without being present in a court of law at this, until this day.

I have fought for our country overseas. I have fought for the Commonwealth on these streets. I have done nothing to deserve the type of slander and public shaming that I have experienced through the media and through the agenda that is being pushed forward through no individual requirement of me.

I thank you for your time and I appreciate you allowing me to make a statement."

Andrew Patterson, November 8, 2019, press conference, Wrentham (emphasis added).

Copies of the press conference, several newspaper articles, and news media coverage are attached as Exhibit #13.

EXHIBIT #13

9. On Wednesday, November 20, 2019, Detective Lieutenant Richard (now Captain) and I interviewed **G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/st** is a nurse. She attended the concert with her boyfriend, **G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/st**. When they arrived at their seats, they met up with their friends who she identified as **G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/st** said that she and **G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/st** left their

seats and upon returning, Patterson was sitting in her seat and eating her popcorn which she had left on her seat. Realizing that Patterson was "very intoxicated," [REDACTED] was not bothered by Patterson eating the popcorn. A short time later, [REDACTED] said she believed Luke Bryan was on stage and she glanced over at Patterson "and that's when I saw him masturbating." [REDACTED] said she got [REDACTED] attention and said, "am I seeing what I'm seeing? Like, is this really happening?" [REDACTED] said she thought [REDACTED] got the attention of Thomson to get Patterson out of there. Patterson, Thomson and [REDACTED] abruptly left the area. [REDACTED] was very clear in her [REDACTED] and said Patterson unzipped his pants, exposed his penis and was masturbating. [REDACTED] said Patterson eventually returned and shortly thereafter, an altercation between [REDACTED] and Patterson took place. [REDACTED] saw [REDACTED] knock a phone from Patterson's hand and then saw Patterson punch [REDACTED] in the face causing him to fall back. Thomson immediately pulled out a badge and told them they were state troopers. [REDACTED] said she was shocked to learn they were troopers. She felt that after everything that had happened – specifically Patterson exposing his penis – it was a stupid thing to announce. [REDACTED] stated that she was unaware of any video depicting Patterson masturbating. [REDACTED] further stated that she had never had any contact with Patterson, Thomson or [REDACTED] prior to that evening. According to [REDACTED] the interaction between both groups was amicable prior to the altercation.

[REDACTED] authenticated a Facebook private message thread titled, "[REDACTED] Cousins." It was time stamped at 9:15 p.m. and [REDACTED] wrote, "And now he's sitting next to me, MASTURBATING, can't making this fucking shit up." She said [REDACTED] attempted to report the incident using the Gillette Stadium app but was unable to connect.

[REDACTED] stated she was never contacted by anyone regarding the show cause hearing or any other court appearances. Had she received a summons, she would have complied and testified. [REDACTED] said that after the show cause hearing, she was contacted by someone from the District Attorney's Office who requested a meeting to discuss the case. She agreed to meet but heard nothing further until she received a call from the District Attorney's Office advising her that Patterson's case had been dismissed under the Brave Act. Copies of [REDACTED] Witness interview Form, full transcript, and video of Patterson are attached as Exhibit #14. A copy of the Luke Bryan Set List for 6/21/2019 is attached as Exhibit #15.

EXHIBIT #14
EXHIBIT #15

10. On Wednesday, November 20, 2019, Captain Richard and I interviewed [REDACTED]. The interview was conducted at [REDACTED] place of business in New Bedford. [REDACTED] said he and [REDACTED] attended the concert. They got drinks and popcorn and made their way to their seats. A short time later he got up to use the bathroom and left the popcorn on his seat. When he returned he saw Patterson eating his popcorn. He saw Thomson also eating his popcorn. He advised them it was his popcorn at which time Thomson apologized and offered to buy him another bucket which he declined. At some point [REDACTED] left again and when he returned, Patterson was sitting in his assigned seat. [REDACTED] said it was evident Patterson was drunk. When [REDACTED] told Patterson those were his seats, Patterson motioned for [REDACTED] to sit on Patterson's lap. Patterson then told [REDACTED] that he had a nice beard. [REDACTED] was not amused but knew Patterson was drunk so he ignored his behavior. [REDACTED] said he made a

comment about it on Facebook that some guy was hitting on him. He sat away from Patterson and [REDACTED] was seated in the chair next to Patterson. He said [REDACTED] "nudged me to let me know that he had his penis out and he was playing with himself." [REDACTED] said, "so I looked over and I was like, wow, I can't believe this. And I even nudged the two people on the other side of us that had bought my other tickets. And I told them." [REDACTED] believes the commotion caused Thomson and [REDACTED] to take Patterson out of the area. As they were walking away, [REDACTED] said he looked behind and observed Patterson attempt to grab the "butts" of three girls as they walked by him. [REDACTED] then sent some Facebook messages about the incident, calling Patterson "creepy Joe Biden." [REDACTED] said Patterson returned close to the end of the concert. Patterson was standing on the side of [REDACTED] Patterson had his phone out and appeared to be recording himself in an act of "gyrating" behind [REDACTED] Upon observing this, [REDACTED] knocked the phone out of Patterson's hand. Patterson then punched him in the face which knocked him back and down to the ground. He was bleeding. He then saw Patterson and Thomson coming toward him and he threw a chair in their direction. [REDACTED] thought the chair hit Thomson in the arm. Thomson then pulled out a police badge informing [REDACTED] that he and Patterson were both state troopers. Security arrived and took them to the first aid station for medical treatment. [REDACTED] nose was bleeding and his glasses were broken.

[REDACTED] was asked to specifically describe what he saw with respect to Patterson playing with himself. [REDACTED] stated, "Well he had his zipper open and he—his hand was in the—in the movement, as if he was playing with himself. And I glanced quickly. I didn't want to sit there and stare to see what he was doing. His penis was out." When asked if Patterson made any physical contact with [REDACTED] when he was "gyrating," behind her, [REDACTED] said he wasn't sure. [REDACTED] explained [REDACTED] was facing towards him; he looked past her and noticed Patterson dancing and taking a video. [REDACTED] felt Patterson's behavior had gone a little too far. [REDACTED] said they never would have known they were state troopers if Thomson had not pulled out his badge.

[REDACTED] advised that he never received any notification about any court appearance regarding this incident. He only learned of it when the news media arrived at his business and began calling him requesting a comment. He was unaware of what had transpired at court. [REDACTED] stated that he was not interested in bringing any charges against Patterson for punching him in the face. He was more disturbed with Patterson's act of masturbating in public at the concert. [REDACTED] said if he had received a summons to go to court that he would have attended. After the show cause hearing, a female from the DA's Victim Witness Unit reached out to him. She wanted to set up a meeting and he agreed. The advocate said she would "figure something out" and get back to him. [REDACTED] never heard back until after the arraignment when he received a call advising him the case was dismissed. Copies of the Witness Interview Form and full transcript are attached as Exhibit #16.

EXHIBIT #16

11. On Monday, November 25, 2019, Captain Richard and I interviewed [REDACTED] (hereinafter referred to as [REDACTED] at her residence. [REDACTED] said she arrived at Gillette Stadium around 6:00 p.m. with her sister [REDACTED] her husband [REDACTED], and her friend, [REDACTED] Their seats were located in the rear floor section. [REDACTED] and [REDACTED] are cousins.

§ 87(2)(b) said that for much of the night her group bounced back and forth between their assigned seats and seats located in § 87(2)(b) section. § 87(2)(b) said that during the concert she and § 87(2)(b) were texting back and forth about Patterson's behavior. § 87(2)(b) observed Patterson to be intoxicated and explained he was stumbling and did not have control of himself. Toward the end of the concert, § 87(2)(b) returned to § 87(2)(b) seating area. She observed Patterson dancing close to § 87(2)(b). § 87(2)(b) described this dancing as inappropriate. She explained Patterson was behind her "shaking." When asked her opinion as to whether Patterson's dancing was appropriate or inappropriate, she replied, "oh inappropriate, yeah." § 87(2)(b) said she and her group decided to leave the concert early and left before the altercation. § 87(2)(b) was asked about a text message thread. She stated she was on that text thread in which § 87(2)(b) wrote, "the guy caught eating my popcorn hit on § 87(2)(b) and now he's sitting next to me MASTURBATING, can't make this fucking shit up." § 87(2)(b) identified the other people on that group thread as her sister § 87(2)(b) and cousin § 87(2)(b), § 87(2)(b) and § 87(2)(b) sister § 87(2)(b). § 87(2)(b) was shown a video image provided by § 87(2)(b) depicting Patterson she identified him as the individual she was referring to as Patterson. Copies of the Witness Interview Form, full transcript, and video taken by § 87(2)(b) are attached as Exhibit #17.

EXHIBIT #17

12. On Monday, November 25, 2019, Captain Richard and I interviewed § 87(2)(b) (hereinafter referred to as § 87(2)(b) at his residence. § 87(2)(b) stated he attended the concert with his wife § 87(2)(b) and her friend § 87(2)(b). Upon arriving at the concert, they met up with his friend § 87(2)(b) and § 87(2)(b) girlfriend § 87(2)(b). § 87(2)(b) said Patterson was sitting in one of their seats prior to the start of the concert. § 87(2)(b) said Patterson seemed "really inebriated." It was evident just by looking at him. § 87(2)(b) said that later on § 87(2)(b) stated to them, "Hey that guy over there has his dick out." Mr. § 87(2)(b) said he did not want to look over. He minded his own business. § 87(2)(b) stated in the evening there was a "ruckus" happening and he saw § 87(2)(b) fall to the ground. When § 87(2)(b) got up, he grabbed a chair and attempted to throw it, but they were all zip-tied together. He said Thomson pulled out a badge. He couldn't specifically recall the exact words he said but recalled it was something to the effect of, "you're fucked now." § 87(2)(b) said he heard Thomson tell § 87(2)(b) that he hit him with the chair and § 87(2)(b) told him Patterson had just punched him in the face. Security came in and took everyone away.

§ 87(2)(b) said at the time he did not know what precipitated the fight but was told later that the fight resulted from something inappropriate going on with § 87(2)(b) that someone was videotaping her and § 87(2)(b) slapped a phone out of the guy's hand. § 87(2)(b) described Patterson as drunk and obnoxious. § 87(2)(b) was shown a video image depicting Patterson and he did identify him as the individual he was referring to as Patterson. Copies of the Interview Form and full transcript are attached as Exhibit #18.

EXHIBIT #18

13. On Monday, November 25, 2019, Captain Richard and I interviewed § 87(2)(b) (hereinafter referred to as § 87(2)(b) at her residence. § 87(2)(b) told us that she attended the Luke Bryan concert with her husband and her best friend, § 87(2)(b) (hereinafter referred to as § 87(2)(b)). § 87(2)(b) said she had purchased the three tickets from an acquaintance she identified

as [REDACTED] [REDACTED] said they arrived before the concert started and went to their assigned seats. She noticed Patterson sitting down and observed Patterson could not even keep his head up. She said she was shocked as she had not even had a drink yet. She was wondering how Patterson was even going to hear the concert. [REDACTED] said Patterson looked over at her and [REDACTED] and asked who they were with and if they were single. She told Patterson she was married. [REDACTED] said Patterson and his group were sitting in the row and [REDACTED] and [REDACTED] were next to them. [REDACTED] described Patterson and Thomson as very inebriated and thought they were "frat guys." They were very loud. Everyone could hear their conversation. "Yeah bro, you want another drink?" [REDACTED] said that during the concert, Patterson became even more intoxicated and could barely sit. She said Thomson walked over and handed Patterson two (2) more drinks. [REDACTED] stated, "I'm a Mom and a teacher. Should I go over and take those drinks away from him. I was horrified." She said [REDACTED] alerted her to Patterson's penis being out. [REDACTED] then gestured to her husband to look. [REDACTED] saw Patterson slouched in his seat with his hands in his crotch area. From her view, [REDACTED] couldn't tell if Patterson's penis was exposed. [REDACTED] said Patterson's group left for a while. When they returned, [REDACTED] looked over and saw Patterson holding his phone to [REDACTED] described it as "weird" and thought to herself, "why is he doing that?" [REDACTED] said [REDACTED] was looking away and was oblivious to Patterson's behavior. She said she saw [REDACTED] become upset and "whack" the phone out of Patterson's hand. Patterson then punched [REDACTED] and there was blood everywhere. [REDACTED] grabbed a chair, but they were all tied together. Thomson came over and said, "You guys are fucked. We're cops." [REDACTED] was absolutely shocked to learn Patterson and Thomson were cops in light of their behavior that evening. Copies of Witness Interview Form and full transcript are attached as Exhibit #19.

EXHIBIT #19

14. On Wednesday, November 27, 2019, Captain Richard and I interviewed [REDACTED] at her residence. [REDACTED] stated she attended the concert with [REDACTED] and [REDACTED]. They arrived at the stadium sometime between 5:30 p.m. and 6:00 p.m. [REDACTED] observed Patterson, Thomson and [REDACTED] arrive and sit three seats over from them. Patterson was visibly drunk. [REDACTED] saw Thomson come back with two (2) beers in his hands; Thomson gave Patterson both beers. [REDACTED] said, "Oh Lord, this is not gonna be one of those good nights." She explained that she does not deal well with people that are that drunk and now she was sitting next to the drunk. [REDACTED] said Patterson started talking to them and asked them if they were single. She told him she was not. Shortly thereafter, [REDACTED] and [REDACTED] arrived and sat next to them. During the intermission, [REDACTED] and [REDACTED] left to get drinks. [REDACTED] left his popcorn on his seat. Patterson, Thomson and [REDACTED] returned to the seats and sat down.

[REDACTED] provided me with a handwritten diagram of the seating positions which is attached hereto. The seating positions are as follows:

B [REDACTED], A (Andrew Patterson), [REDACTED], [REDACTED], [REDACTED], [REDACTED]
C (Thomson) standing behind.

Patterson began eating [REDACTED] popcorn. [REDACTED] thought maybe the popcorn would sober Patterson up. [REDACTED] and [REDACTED] returned and didn't make an issue out of

Patterson eating their popcorn. [REDACTED] said at one point she had been told that Patterson grabbed [REDACTED] butt. She said [REDACTED] leaned over to [REDACTED] and said, "I think he likes you." [REDACTED] said she was the furthest away from Patterson in case he vomited. [REDACTED] said [REDACTED] told her that Patterson pulled his penis out. [REDACTED] said she did not look, but [REDACTED] leaned over to look. [REDACTED] said [REDACTED] was disgusted with Patterson's behavior. [REDACTED] said that around 10:00 p.m., while she was dancing, an altercation took place. She saw [REDACTED] bleeding on the ground. [REDACTED] said Thomson then pulled out his badge and said that he and Patterson were state troopers. [REDACTED] said, "Are you frigging kidding me? All this time, you could have prevented this. You know better and you let this happen and now we're in trouble. I was like, what? No. This is ridiculous." [REDACTED] said security arrived and removed everyone. [REDACTED] said she, [REDACTED] and [REDACTED] decided to leave the concert at that time. [REDACTED] said [REDACTED] received a text message from [REDACTED] saying that the Patterson group was saying [REDACTED] started the fight. [REDACTED] advised that they were willing to go back and speak to security as witnesses. [REDACTED] said during the car ride home [REDACTED] received another message that [REDACTED] had told the police about Patterson's penis being out and now the Patterson group changed their minds and nobody was pressing charges. [REDACTED] said she thought the entire thing was ridiculous.

[REDACTED] was shown a video image of Patterson who she identified as "A" in her diagram. She identified as [REDACTED] as "B" and "C" as Thomson, the one who pulled his badge out.

Copies of the Witness Interview Form, full transcript, and handwritten diagram are attached as Exhibit #20.

EXHIBIT #20

15. On Wednesday, November 27, 2019, Captain Richard and I interviewed [REDACTED] (hereinafter referred to as [REDACTED]) at her residence. [REDACTED] told us that she attended the concert with [REDACTED] and [REDACTED]'s husband [REDACTED]. She entered the stadium around 6:00 p.m. Her friend, [REDACTED] was seated in a different section so she walked back and forth between her seats and [REDACTED] seats to socialize. Around 7:00 p.m., while visiting [REDACTED] attention was drawn to Patterson, who she described as being "obliterated" and "not in the right state of mind." [REDACTED] was shown a video image of Patterson, which she had previously provided to [REDACTED] she identified Patterson as the individual she had observed. [REDACTED] noticed that Patterson was spilling his beer and others around him were laughing at him. Thinking it was crazy that Patterson was already that drunk by 7:00 p.m., [REDACTED] decided to videotape him. As time went on, [REDACTED] observed Patterson getting drunk to the point he was stumbling. She said he always had a beer in his hand and noticed he was being "overly" friendly with a woman. [REDACTED] said, "he's palming ya know, rear ends of women and going up to them, sniffing them and just being completely rude." [REDACTED] said the female was bothered by it and walked away. [REDACTED] was shown a video of Patterson and [REDACTED] dancing. When asked if this was the woman that Patterson was rubbing against and palming her butt, [REDACTED] said, "No." [REDACTED] was bothered by Patterson's behavior particularly because there were younger teenagers and college students at the concert. Text messages were being sent between [REDACTED] group and [REDACTED] group throughout the night. [REDACTED] learned through text messages sent to [REDACTED] that Patterson was eating [REDACTED] popcorn, spilling beer, and grabbing women.

said, G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

.” He said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

He described G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

He believed G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)). Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

When asked if it was possible this could have happened he said, G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Therefore, he could not deny these events occurred.

Thomson supplied us with a diagram of where everyone was standing. The seating arrangements were as follows:

G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)) Thomson, Patterson G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Captain Richard asked Thomson if he initially indicated to the police officers that he wanted to press charges against G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)) Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

A short while later the officers returned and informed them that G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)) was not pressing charges against Patterson for the assault and battery so he decided not to. Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)).

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said the G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson could not recall purchasing any beers for Patterson or handing him any beer. In Thomson’s opinion, Patterson was coherent that night.

Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)) G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson said, G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

When asked why strangers who they had never met before would say that Patterson had exposed himself at the concert, Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson stated that G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson described G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)).” Copies of the witness notification, Administrative Rights –

Witness Form, Waiver of reading of rights, handwritten diagram seating arrangements, and full transcript are attached as Exhibit #22.

EXHIBIT #22

17. On Tuesday, November 26, 2019, a certified letter was sent to Patterson informing him to report to GHQ Thursday, December 12, 2019, for an interview regarding the allegations against him. Included in that letter were transcripts [REDACTED] and [REDACTED] interviews. An email was sent to Troop A Captain Moran, Lieutenant Harvey, and Jenkins advising them of the notification. An email and the above-referenced transcripts were also sent to Attorney Moynihan. At Attorney Moynihan's request the interview was moved to Wednesday, December 18, 2019. At the interview on Wednesday, December 18, 2019, Patterson was provided with his Internal Affairs Section Administrative Rights. Patterson reviewed his rights and agreed to waive the reading of those rights. The executed copies of the Rights and Waiver are attached hereto.

Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED] Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED] During that tailgate he said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED]. Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)). Patterson's wife took an Uber and joined them toward the end of the tailgate. They entered the venue around 5:30 p.m. On a scale of 1 to 10, he stated [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)). He said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)).

[REDACTED]. Patterson said that [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED]. They were seated in the last row. Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED] Upon returning to their seats, he struck up a friendly conversation with [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) and [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)). As the night went on, Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED] Patterson explained that Thomson and [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) were in a rotation to purchase the drinks. Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

Patterson said that [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED]. When asked if he had the video, he said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)). [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) then slapped the phone out of his hand. In response, he struck [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) once in the nose causing [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) to fall to the ground. [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) then rose from the ground with a chair and struck Thomson in the arm. Thomson then identified himself as a trooper. Security responded and removed everyone from the area. They were informed by police that [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s)) did not wish to pursue charges. They did not either and they left. Patterson said [REDACTED] G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))

[REDACTED] Patterson was advised Jenkins was coming to his home to take his badge, gun, cruiser and other equipment. Patterson said he thought it was about the fight. He could not recall if Lynch had told him anything else.

When asked if his level of intoxication changed throughout the night, he stated he

G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) He described a **G.L. c. 4. sec. 7.cl. 26 (c)(medical)** G.L. c. 4 sec. 7.cl. 26 (f) Patterson said G.L. c. 4 sec. 7.cl. 26 (f)

G.L. c. 4 sec. 7.cl. 26 (f) He did have a specific memory about filming Rob Gronkowski on the stage and felt his phone being slapped out of his hand. He watched his phone fall to the ground and thereafter struck G.L. c. 4 sec. 7.cl. 26 (f) He saw G.L. c. 4 sec. 7.cl. 26 (f) strike Thomson with a chair and then security arrived. Although Patterson did not have a specific memory of any of the acts prior to Luke Bryan, he did remember entering the stadium. He recalled a number of interactions and going to the bathroom on multiple occasions. He recalls purchasing drinks. He stated G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s))

G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) Patterson said **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))** G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) Patterson said **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))** G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)). He said, G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s))

G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) Patterson did not recall telling G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) he had a nice butt, but may have commented on G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s))'s beard.

Patterson was asked if his penis was protruding from his unzipped pants. He stated, G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s))." He was asked if it was possible that he was so intoxicated that he just did not recall it. Patterson said, G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s))." Patterson said **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))** G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) Patterson claimed G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) and G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) were making this up. When asked why they would do that, Patterson said G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) He was told there were witnesses that said this incident happened. Patterson said he **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))**

Patterson said he **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))** He said that **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))** G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)). Patterson admitted **G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))** G.L. c. 4 sec. 7.cl. 26 (f)(witness identification/statement(s)) Attorney Moynihan interjected to advise that his client has testified to the best of his memory. Attorney Moynihan asserted they had a motive to fabricate and he did not consider either one of them credible. Patterson was asked if he had notified his station commander that he had been investigated for a crime to which he replied, "No."

On Wednesday, January 8, 2020, the Department received a letter from Attorney Moynihan requesting any and all documentation, relative to IAS #2019-0024 be impounded and sealed as the documents contain HIPPA-protected information.

Copies of the certified letter to Patterson, the Administrative Rights Form-subject, waiver of reading of administrative rights, Gillette Stadium seating chart, and full transcript are attached as Exhibit #23. A copy of Attorney Moynihan's request for impoundment is attached as Exhibit #24.

EXHIBIT #23
EXHIBIT #24

18. On Tuesday, January 7, 2020, I sent a certified letter to [REDACTED] (hereinafter referred to as [REDACTED]) giving her the opportunity to be interviewed regarding the Patterson complaint. Attorney Moynihan contacted me and said [REDACTED] wanted an interview which was subsequently conducted on Wednesday, January 22, 2020, at Attorney Moynihan's law office in Stoneham. Captain Richard and I conducted the interview.

Represented by Attorney Moynihan, [REDACTED] said she [REDACTED]

[REDACTED] said on Friday, June 21, 2019, she arrived at the tailgate via an Uber, arriving around 5:00 p.m.-5:30 p.m. [REDACTED] said when she arrived the group was playing cornhole games, drinking and grilling. She states that Patterson's level of intoxication was mild to moderate. They entered the venue around 6:00 p.m. They all grabbed a beer and then found their seats.

[REDACTED] said [REDACTED] and [REDACTED] were seated in their row. Their interaction with them was positive. [REDACTED] and [REDACTED] left their seats and when they returned, Patterson was sitting in one of their seats. They asked Patterson to move but he refused. [REDACTED] said he just did not want to move from the seat. [REDACTED] explained he was intoxicated, "so often times when [REDACTED] is in that type of state, he is very set in what he's doing and wants to do just that." [REDACTED] said she was able to get him to move over and into the correct seat. [REDACTED] said Patterson's level of intoxication did change throughout the evening to a level of higher than moderate. She described him to be coherent but may have slurred his words a little bit. She was not concerned about him falling asleep in the seat or wandering away on his own. [REDACTED] said part of the reason she attended the concert was so that she could mitigate any sort of situation or environment. She explained that darkness and large crowds **G.L. c. 4, sec. 7, cl. 26 (c)(medical)** [REDACTED] stated she noticed Patterson begin to squirm a little bit and he started grabbing at his shorts a little bit. She asked him what was wrong and he told her he had to go to the bathroom. [REDACTED] said he attempted to grab a Gatorade bottle that was next to him. [REDACTED] told him to wait a little bit, that he was fine. A few minutes later, she saw him continue to grab at his shorts and crotch area and again informed her he had to go to the bathroom. [REDACTED] said he continued to grab at his shorts for the next five or ten minutes at which point she grabbed him and took him to the porta-potty. [REDACTED] said she did not believe Thomson was there during this time. When asked if anyone else could have seen him grabbing at his shorts, she said it was possible. When asked if his penis was out, she said that was "wholly unacceptable and wrong." [REDACTED] became visibly upset at this point during our interview; her eyes began to water and would not make eye contact. [REDACTED] went on to say, "He was grabbing his crotch area, almost like a child when they have to go to the bathroom, you hold the crotch area to hold it in."

[REDACTED] said shortly into the Luke Bryan set, Patterson told her he wanted to go home. She reached out to Thomson to let him know as she was going to drive Thomson home as well. [REDACTED] said as they were leaving they heard Rob Gronkowski was coming on stage so they returned to the seats. [REDACTED] said Patterson pulled out his phone and began videoing Gronk. She said within seconds, [REDACTED] struck the phone out of Patterson's hand and Patterson punched [REDACTED] knocking him to the ground. [REDACTED] grabbed a chair and threw it at Thomson. She said Thomson was bleeding from the head. Thomson pulled out his badge and identified himself. Security came over and dispersed everyone. [REDACTED] said police spoke with them and

advised them that [REDACTED] and [REDACTED] told officers that Patterson was masturbating. [REDACTED] denied he was masturbating.

When asked how many times she observed Patterson squirm and grab his crotch, she said about 20 times during a 5 to 10 minute time period. [REDACTED] described the action as him grabbing the material of his shorts around his crotch area and pulling up on the material. [REDACTED] was asked if she could definitively say that at any point during that 5 to 10 minute period that his penis was not inside the material. She answered that she couldn't because she was not staring at him every second; however, nobody around reacted otherwise.

[REDACTED] said they were released after the incident and she drove the three of them home. During the ride she said they discussed the fight and then talked about everyday events. She said the conversation was normal and there were no arguments.

The following Monday, several MSP members arrived [REDACTED] placed Patterson on restricted duty. She said they told him it was regarding an incident at Gillette Stadium. She assumed that it pertained to the fight. Copies of the certified letter, witness interview Form, handwritten diagram and full transcript are attached as Exhibit #25.

EXHIBIT #25

19. A copy of Patterson's concise history report is attached as Exhibit #26.

EXHIBIT #26

CONCLUSION

20. During the course of my investigation into the actions of Patterson and Thomson on June 21, 2019, at Gillette Stadium in Foxborough, I had the opportunity to review the reports submitted by officers of the Foxborough, Foxborough and Gillette Security Departments. I reviewed the criminal complaint application seeking the charge of Lewd, Wanton & Lascivious Conduct, M.G.L. Chapter 272, section 53(E) against Patterson submitted to the Wrentham District Court by the Foxborough Police Department. On October 24, 2019, a clerk magistrate from the Wrentham Court held a hearing in which Patterson and his attorney were in attendance, and determined there was sufficient probable cause to issue the complaint.

I interviewed eight (8) civilian witnesses who had knowledge of the events that took place at Gillette Stadium on June 21, 2019, as well as Patterson, [REDACTED] and Thomson. I read text messages and Facebook posts that were sent and received by these civilian witnesses. With the exception of Thomson, every individual I interviewed, including Patterson himself, stated that Patterson was "extremely intoxicated." Thomson described Patterson as "buzzed" and "in control of his actions." This statement by Thomson was in direct conflict with every other person's observation of Patterson, including that of the police officers who responded to the incident that night.

shorts during the concert. It appeared to them that he was in the act of masturbating. They related the same information to Foxborough Detective Morrison several days later and to me during their interviews several months later. Their version of events has remained unchanged.

[REDACTED] and [REDACTED] purchased the Luke Bryan tickets from [REDACTED] who had posted them for sale on his Facebook page. They are friendly with each other, but not considered close friends with each other. [REDACTED] was not able to provide any personal contact information to me to locate the [REDACTED]. [REDACTED] said she could not believe anyone could be that intoxicated so early in the evening. [REDACTED] who is a school teacher, wanted to intervene and stop Thomson from giving Patterson additional beers due to his intoxicated state, but chose not to get involved. [REDACTED] who was so shocked by Patterson's behavior, took a videotape of him. She took no other videos of any other person that evening. [REDACTED] had never met [REDACTED] or [REDACTED] prior to that evening. [REDACTED] and [REDACTED] posted on Facebook and messaged friends about Patterson masturbating at approximately 9:15 p.m. [REDACTED] received that text message and she and [REDACTED] responded to the area to make their own observations of Patterson.

[REDACTED] said during the daylight hours [REDACTED] grabbed his crotch area over 20 times, pulling up the material on his shorts; this lasted 5-10 minutes. She at the time was standing behind him.

The physical confrontation occurred at 10:20 p.m. and at that time Thomson identified himself and Patterson as State Troopers. Had [REDACTED] and [REDACTED] known earlier they were State Troopers, Thomson would not have had to identify themselves as such to them. The Facebook threads, videos and interviews of independent witnesses all indicate Patterson exposed himself prior to any of them being made aware they were State Troopers.

With respect to the physical confrontation that took place toward the end of the concert, [REDACTED] admitted knocking Patterson's phone from his hand in order to prevent Patterson from filming [REDACTED] in what he perceived to be a provocative way. Patterson then punched [REDACTED] directly in the face causing injury to his nose and breaking his eyeglasses. [REDACTED] fell to the ground with blood covering his face. [REDACTED] got up and threw a chair in the direction of Patterson and Thomson, at which time Thomson pulled out his MSP badge and identified them both as troopers. According to witnesses, Thomson used profane language in the course of identifying himself and Patterson. [REDACTED] indicated he did not wish to press charges against Patterson for the assault and battery. He did cooperate as a witness regarding the indecent exposure investigation, however, and would have participated in the legal process. Every witness I interviewed stated that they were absolutely shocked to learn that Patterson and Thomson were troopers after observing their behavior all night.

Trooper Patterson, after being involved in a physical altercation and subsequently detained by both Foxborough and Foxborough Police, did not notify his Station Commander of his involvement in the alleged incidents to include assault and battery, malicious destruction of property, public intoxication and/or lewd lewd, wanton or lascivious behavior.

In addition to the above findings, I found through my investigation that Patterson was untruthful when he voluntarily addressed the media on November 8, 2019, while standing outside at the Wrentham District Court. In his statement, which he made to the media following the Court's dismissal of the criminal complaint, and which was broadcasted by multiple news agencies as well as social media platforms, Patterson unequivocally denied any involvement in the allegations which had been made against him, calling them "baseless and propagandized accusations" and "wholeheartedly false." My investigation into this incident proved otherwise. For one, on Thursday, October 24, 2019, a clerk magistrate from Wrentham District Court determined there was sufficient probable cause and issued the complaint. While the matter ultimately was dismissed by the Court, the dismissal was made pursuant to the Brave Act and no adjudication was made as to the merits of the case. Additionally, after speaking with the multiple witnesses present that evening at Gillette Stadium, as well as after reviewing the Facebook posts and messages they had made and sent that night, I conclude that the evidence overwhelmingly supports the allegations which were the subject of the criminal complaint. Further, Patterson's own responses to our questions during his subsequent Internal Affairs interview do not support his statement to the media that the allegations were false where he ultimately admitted he had no personal recollection of this part of the night and instead was relying upon statements made to him by [REDACTED] and Thomson. While Patterson certainly had the right to defend himself against any charges in his criminal case, he crossed the line of acceptable conduct for a member of the State Police when he voluntarily addressed the media – and thus the public at large - and falsely told them the allegations made against him were "baseless" and "wholeheartedly false."

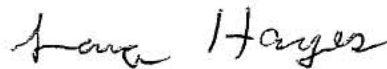
RECOMMENDATIONS

21. As to the allegation that Trooper Andrew M. Patterson #3856, on June 21, 2019, in the town of Foxborough, indecently exposed himself, or otherwise engaged in lewd, wanton or lascivious conduct, the allegation is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**
22. As to the allegation that Trooper Andrew M. Patterson #3856, on June 21, 2019, in the town of Foxborough, was intoxicated in public and acted in an inappropriate manner thereby bringing the State Police into disrepute, the allegation is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**
23. As to the allegation that Trooper Andrew M. Patterson #3856, on or about June 21, 2019, knowing or having reason to believe he would have been identified as a subject in any criminal investigation alleging assault and battery, malicious destruction of property, public intoxication and/or indecent exposure, and failed to notify his duty assignment supervisor of the incident forthwith, the allegation is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**
24. As to the allegation that Trooper Andrew M. Patterson #3856, on June 21, 2019, in the town of Foxborough, engaged in a physical altercation by punching another attendee in the face and causing injury to his nose and damage to his eyeglasses, the incident occurred, but the employee's actions were lawful and proper. **EXONERATED.**

25. As to the allegation that Trooper Andrew M. Patterson #3856, on or about November 8, 2019, in the town of Wrentham, was untruthful when addressing the news media outside of Wrentham District Court, the allegation is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

26. As to the allegation that Trooper Stephen A. Thomson #4048, on June 21, 2019, in the town of Foxborough, identified himself and Trooper Andrew M. Patterson as Massachusetts state troopers after a physical altercation, the incident occurred, but the employee's actions were lawful and proper. **EXONERATED.**

Respectfully submitted,



Laura M. Hayes #2630
Detective Lieutenant-Internal Affairs Section
Department of State Police