



*The Commonwealth of Massachusetts
Department of State Police*

Division of Standards and Training

Internal Affairs Section

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SUPERINTENDENT

February 5, 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, #2019-0024
Trooper Andrew M. Patterson, #3856, DFS, Troop A, Revere Barracks
Trooper Stephen A. Thomson, #4048, Troop F, Logan Airport

FACTS OF THE CASE

1. On Friday, June 21, 2019, I received a telephone call from Sergeant Landon Reyes of the Las Vegas Metropolitan Police Department (LVMP) Internal Affairs Bureau. Sergeant Reyes asked if Andrew Patterson was a member of the Massachusetts State Police Department. He explained that their unit was investigating possible misconduct by two of their officers regarding an incident on June 7, 2019, involving a subject who was at the time identified as Massachusetts State Trooper Andrew Patterson, henceforth identified as "Patterson". Sergeant Reyes further advised me that Patterson had been involved in a physical altercation with a security officer at the Wet Republic Pool Bar located at MGM and as a result was issued a no trespass order from the Wet Republic Pool Bar and affiliated entities. I immediately notified Internal Affairs Section (IAS) Commander Captain James O'Leary (now retired) of the request and he advised me to contact the Massachusetts State Police (MSP) Legal Section. I spoke with Attorney Jennifer Migliaccio of the MSP Legal Section and she advised me to secure a written request via email from Sergeant Reyes regarding his inquiry. I telephoned Sergeant Reyes and requested the email. He specifically advised me that LVMP was not interested in making a formal complaint against Patterson, but rather conducting their own interdepartmental internal affairs investigation into actions of their two officers. He further stated that should our department choose to investigate the conduct of Patterson, he would have his Investigative Specialist, David Fulton, contact me. An IAS Daily Administrative Log Note was generated reflecting that contact. Copies of the emails sent from LVMP Sergeant Reyes and LVMP

Investigative Specialist Fulton have been submitted as Exhibit #1. A copy of the Daily Administrative Journal Log Note date 6/21/2019 has been submitted as Exhibit #2.

EXHIBIT #1
EXHIBIT #2

2. On Wednesday, June 26, 2019, Captain O'Leary corresponded with LVMP Sergeant Reyes and Investigative Specialist David Fulton regarding a positive identification of Massachusetts State Trooper Patterson. Investigative Specialist Fulton forwarded to Captain O'Leary an email which prompted their (LVMP) Internal Affairs inquiry. He also sent photographs of an individual who they were seeking to identify as Patterson. The email was authored by Hakkasan Group Events Planning Coordinator Sergeant Cris Johnson. The email stated that Wet Republic Security Manager [REDACTED] had [REDACTED] with LVMP Lieutenant [REDACTED] Bell regarding the inaction of two LVMP Officers while handling an incident in which one of his security officers had been physically assaulted. Investigative Specialist Fulton provided the Body Worn Camera (BWC) footage of the two LVMP Officers involved and the Computer Aided Dispatch (CAD) reports associated with the incident. Captain O'Leary reviewed all of the materials and determined that an incident did occur between Patterson and Wet Republic Security personnel. This incident resulted in an allegation that Patterson was very intoxicated and was using profane language. Patterson became aggressive toward one of the security team members and purposely flipped the officer's hat off of his head, making hand contact with the officer's forehead. The BWC footage also revealed other members of the MSP were present at the time of this altercation. Those MSP members were identified as Trooper Devon Surian, Trooper Andrew Patterson, Trooper Timothy Benedetto and Trooper Stephen Thomson. On Friday, June 28, 2019, IAS Captain O'Leary authored an email to then Department of Standards and Training (DST) Lieutenant Colonel Richard S. Warmington and DST Deputy Division Commander David G. DeBuccia (now retired) requesting a personnel investigation into the conduct of Trooper Patterson while attending said event at Wet Republic Pool Bar in Las Vegas, Nevada. Copies of LVMP CAD Incident Report Log, BWC photographs and email from Sergeant Johnson requesting identification of Patterson are attached as Exhibit #3. Copy of To/From requesting personnel investigation is attached as Exhibit #4.

EXHIBIT #3
EXHIBIT #4

3. On Wednesday, June 26, 2019, LVMP Internal Affairs Bureau Sergeant Reyes forwarded a copy of Officer Eschevaria and Officer Jackson's Body Worn Camera (BWC) footage from their interaction with Patterson on June 7, 2019. The following is a summary of my observations. Officer Eschevaria activates his BWC as they are walking past the Wet Republic Bar, down the walkway to Bungalow #13. He stops just prior to the bungalow and asks [REDACTED] what happened. [REDACTED] tells Officer Eschevaria that he asked the Patterson party to leave and "the guy" (Patterson) told him, "do you want a problem, fuck you, I'll fuck you up," and he then slapped [REDACTED] hat off his head. Officer Eschevaria asked who did, and [REDACTED] directed Officer Eschevaria and Officer Jackson to Patterson, who was then placed in handcuffs. A male party wearing a black shirt (not positively identified) advises that "we're all cops, he's fucked up." In the background are two (2) females one of whom is visibly

upset, later identified as GL c 4 sec 7 cl 26 (f)(witness identification/statement(s)). As Officer Eschevaria escorts Patterson down the walkway, Patterson says he's a State Trooper. Officer Eschevaria tells Patterson then he should know how to act. Patterson is apologetic and compliant while being escorted down the walkway. Patterson is led to the secluded landing area called "the fish bowl," where his handcuffs are removed. Officer Eschevaria advises Patterson that he is not going to ID him even though their Department Policy, when identifying another police officer requires them to get that officer's badge number and notify that officer's Lieutenant. Officer Eschevaria stated he was not going to do that and instead just escorted Patterson out. As they were being escorted to the holding facility, Benedetto can be heard telling Officer Eschevaria that the bouncer had made a smug remark towards his girlfriend. Benedetto was going to smack him, but instead he walked away. Benedetto said that when his girlfriend was putting her shoes on, she told the bouncer to relax. He said the bouncer replied by saying you're telling the wrong person to relax. As they continue walking towards the holding trailer, Officer Eschevaria deactivates his BWC. I reviewed Officer Jackson's BWC and although his camera activates upon arriving at the Bungalow, the audio portion is not initially engaged. Thomson is seen speaking with Officer Jackson. Officer Jackson walks behind as they escort Patterson down the walkway. At this point the audio portion of his BWC footage is activated. When it is activated, Benedetto is heard speaking with Officer Jackson about the bouncer having made a smug comment to his girlfriend. She had said something to the guy. Some of the conversation is inaudible, but he clearly tells Officer Jackson they are both state troopers from Massachusetts. Benedetto explained that they were attempting to sign for the bill and leave. The remainder of the BWC footage captures the conversation Officer Eschevaria has with Patterson. Officer Jackson then deactivates his BWC. Officer Eschevaria's BWC footage is identified as Exhibit #5. Officer Jackson's BWC is identified as Exhibit #6.

EXHIBIT #5
EXHIBIT #6

4. On Thursday, June 27, 2019, Captain O'Leary contacted Troop A Commander Major Pasquale F. Russolillo (now retired) and forwarded the BWC footage in the hopes of identifying the individuals in the photos. Major Russolillo advised Captain O'Leary that he had been informed that some MSP members had traveled to Las Vegas during that time frame for the wedding of Trooper Devon A. Surian, #4047. On Thursday, July 11, 2019, Troop A Executive Officer Captain Brian J. Moran contacted me and advised me that the two individuals depicted in the photographs were SP Revere Trooper Timothy Benedetto and Trooper Stephen Thomson. The individual in the single photograph was identified as Patterson. A review of PayStation submissions for Trooper Devon Surian, Patterson, Trooper Timothy Benedetto, and Trooper Stephen Thomson revealed the following:

Trooper Devon Surian	6/7/2019	VAC
	6/8/2019	VAC
	6/9/2019	VAC
Trooper Andrew Patterson	6/7/2019	HDO (7/4/2018)
	6/8/2019	DOR
	6/9/2019	DOR

Trooper Timothy Benedetto	6/7/2019	DOR
	6/8/2019	VAC
	6/9/2019	VAC
 Trooper Stephen Thomson	6/7/2019	DOR
	6/8/2019	SIC with Pay (2300-0730)
	6/9/2019	SIC with Pay (2300-0730)

Two (2) photographs used to identify individuals are attached as Exhibit #7. A copy of Devon Surian's PayStation is included as Exhibit #8. A copy of Andrew Patterson's PayStation is included as Exhibit #9. A copy of Timothy Benedetto's PayStation is included as Exhibit #10. A copy of Stephen Thomson's PayStation is included as Exhibit #11.

EXHIBIT #7
EXHIBIT #8
EXHIBIT #9
EXHIBIT #10
EXHIBIT #11

5. On Monday, July 1, 2019, I contacted MSP Gaming Unit Commander Lieutenant Brian Connors and requested a point of contact for MGM Las Vegas Security. Lieutenant Connors provided me a point of contact as **G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/state** ^{OL c. 4, sec. 7, cl. 26} Mr. **GL c. 4, sec. 7, cl. 26** informed me that Wet Republic Bar, although located on the MGM property, is managed by the Hakkasan Corporation and referred me to **G.L. c. 4, sec. 7, cl. 26 (f)(witness identification/statement(s))** **GL c. 4, sec. 7, cl. 26**. A series of emails were sent requesting all information relative to the incident involving Patterson on June 7, 2019. On July 9, 2019, I received a FedEx package from Wet Republic. The FedEx package contained a CD showing the surveillance footage of June 7, 2019, Incident File Summary Report #IN20190001227, a copy of Patterson's MA Driver's License, and a copy of Las Vegas Metropolitan Police Department police contact card. Compact Disc of surveillance footage June 7, 2019 is attached as Exhibit #12. Copies of Wet Republic Incident Report, MA Driver's License of Patterson and LVMP Trespass Notice is attached as Exhibit #13.

EXHIBIT #12
EXHIBIT #13

6. On Tuesday, July 2, 2019, I sent an email and a certified letter, return receipt requested, to Patterson, to his residential address on file with the Department. The letter informed him that he had been identified as a subject of an official IAS investigation. Attached to the letter was a copy of Captain O'Leary's request for a personnel investigation for the purpose of apprising Patterson of the nature of the complaint. I copied Troop A Major Pasquale Russolillo, SP Revere Station Commander Walter Hanley, and Troop A SPAM Representative Trooper Dale Jenkins on the email I sent to Patterson. The certified letter was returned to me marked Return to Sender, Unclaimed, Unable to Forward. Copies of To/From subject notification and certified letter receipts are attached as Exhibit #14.

EXHIBIT #14

7. When viewing both the surveillance footage of Wet Republic Bar for Friday, June 7, 2019, and the BWC footage of LVMP, I noticed a date discrepancy on the BWC footage. The BWC footage indicated the date as being June 8, 2019. The BWC date is incorrect, as the incident took place on Friday, June 7, 2019. All other corresponding documentation verifies the incident date was June 7, 2019. Upon review of the surveillance video, I made the following observations. The initial angle of the camera depicts an overall view of the pool area and bungalow area. It shows employees picking up towels and patrons collecting their personal items and moving toward the exit. I observed one area (later identified as Bungalow #13), where there is a group of people standing around. I can see a black male (later identified as [REDACTED]) who is wearing black shorts and a red t-shirt standing near the pool area of Bungalow #13. Other individuals in the video are wearing identical clothing and appear to be employees of Wet Republic. I observed a male, (later identified as [REDACTED]) wearing a blue baseball hat, black shirt and beige shorts talking to [REDACTED]. At 17:40, Mr. [REDACTED] enters the threshold of the bungalow and can be observed clapping his hands in what appears to be a gesture to get the group to expedite their exit. Mr. [REDACTED] remains on the outer portion of the bungalow. At 17:41:21, Mr. [REDACTED] can be observed standing at the threshold of the bungalow with his hands on his hips speaking to Patterson. There is a male party later identified as Trooper Stephen Thomson (henceforth Thomson) wearing a white tank top shirt standing next to Security Officer [REDACTED]. At 17:41:21 a female party approaches Patterson and he is seen pushing that female back and away from him. The female party then walks back into the bungalow. Patterson can be observed raising both of his arms in front of Security Officer [REDACTED]. Security Officer [REDACTED] remains standing with his hands on his hips. Security Officer [REDACTED] moves in closer to the bungalow. At 17:41:23, Patterson is observed flipping the baseball hat off the head of Security Officer [REDACTED]. Security Officer [REDACTED] is then seen turning around and picking up his baseball hat from the ground. Immediately thereafter, Security Officer [REDACTED] is seen waving toward the surveillance camera and calls for additional backup. The camera immediately zooms in to the area of Bungalow #13 and from 17:42:00 – 17:44:08 the surveillance camera is focused on the bungalow. All parties have moved to the other side and it is unclear from the angle of the surveillance camera what is transpiring inside the bungalow. At 17:44:08, the surveillance camera picks up security personnel and two LVMP officers escorting Patterson down the walkway in handcuffs. The surveillance follows them to a separate area. At 17:45:07, LVMP Officer (Eschevardi) can be observed removing the handcuffs from Patterson. A male party wearing a multi-printed shirt, multi-colored blue shorts, and a baseball hat worn backwards, (later identified as Trooper Timothy Benedetto, henceforth Benedetto) is seen standing off to the side. Officer Eschevardi appears to be speaking with Patterson. In the area are two Wet Republic Security Officers, both wearing black collared shirts and beige shorts. They were identified as Security [REDACTED] and Security [REDACTED]. From 17:45:07 to 17:48:30, Patterson is escorted to a holding trailer located just outside of the pool area.

Upon the group entering the holding trailer, the surveillance camera discontinues and the holding trailer camera and audio is engaged. Patterson is asked to be seated on the bench and advised by [REDACTED] everything is being audio and video recorded. Present in the trailer and wearing yellow and black shorts is MGM Security [REDACTED]. Officer [REDACTED] can be heard asking Patterson basic questions. The video recording shows Patterson's speech to be slurred and thick tongued. He has difficulty remembering his hotel room number and incorrectly spells his last name. Patterson can be heard saying, "He had a cute hat." Shortly thereafter, Security Supervisor [REDACTED] enters the room. Security Officer [REDACTED] asks Patterson if he's a

"cop" and Patterson states he is. Mr. [REDACTED] instructs Patterson that he will be issued a no trespass order from all six Hakkasan properties and proceeds to name those properties. Patterson is observed to have difficulty and confusion in understanding what locations he is not allowed to enter. Patterson can be heard saying, "He was a clown." Mr. [REDACTED] advises Patterson not to speak negatively about any of his employees and Patterson then apologizes. Mr. [REDACTED] asks Patterson if he's on "anything" because he is clenching his jaw. Patterson states he is not. Patterson then puts on his sunglasses. A short time later LVMP Officers Eschevaria and Jackson enter the room. Patterson removes his sunglasses and places them back on his head. Officer Jackson advises Patterson that nobody in his home state will know about this incident. Patterson begins to speak with Officer Jackson about his firearm, gun belt, and body worn cameras. Officer Jackson ignores Patterson. Officer Eschevaria issues Patterson a Red Card notice of trespass. At 17:49:48, Patterson exits the holding area and the surveillance camera continues to follow Patterson until he exits the MGM property boundaries. The surveillance video is a total of 19:54 minutes. The surveillance CD has previously been referenced and included in this document as exhibit #12. A copy of the Red Card notice issued by Officer Eschevaria has previously been referenced and included as exhibit #13.

8. On Wednesday, July 24, 2019, I traveled to Las Vegas, Nevada to conduct interviews of Hakkasan Security Personnel. On Thursday, July 25, 2019, I conducted interviews of [REDACTED] [REDACTED] [REDACTED] [REDACTED] and [REDACTED] all interviews were audio recorded and conducted at the Hakkasan Group Corporate Offices located at 7385 Rainbow Boulevard, Suite 800, Las Vegas, Nevada.

I first met with Security Supervisor [REDACTED]. The following is a summary of that interview. Mr. [REDACTED] explained he has been employed for three (3) years and oversees the other security hosts. Mr. [REDACTED] explained Hakkasan Corporation trains their security officers to be more like guest "hosts" rather than employing the bouncer mentality toward the patrons. He explained the patrons pay a lot of money and security's function is to make sure everyone is safe and having a good time. Each staff member is trained and licensed in Techniques of Alcohol Management (TAM), customer service training, and PFC training. Mr. [REDACTED] stated a TAM card is an alcohol awareness class to detect intoxicated or impaired people. Mr. [REDACTED] could not recall what PFC stood for, but explained it was a class on mechanical restraints and use of force. When I interviewed Security Manager [REDACTED] he explained PFC was Progressive F.O.R.C.E. Concepts and provided me with the stated outline of the curriculum. This curriculum included de-escalation concepts, use of force and handcuffing techniques. Mr. [REDACTED] explained the different locations of Wet Republic Pool Area. The pool area is [REDACTED] down into four (4) different sections:

- The first is the day bed section, which contains a bed and small table.
- The second is the lounge tables, containing a larger table which can accommodate a larger party.
- The third is the cabanas, which are a little more private, and are accessible through general admission.
- The fourth is the bungalows. They are the most expensive, and are segregated from the rest of the pool area. Each patron is issued a wrist ban to access the area, which has a private pool, tv, waitress, and beds.

[REDACTED] explained, regardless of which area you reserve, no patrons are allowed to bring in their own food or alcohol. All food and alcohol must be purchased at Wet Republic. Mr. [REDACTED] stated he was working on Friday, June, 7, 2019. It was a typical Friday afternoon DJ pool party with no special guest appearances. He stated the pool party closes typically between 5:30pm-6:30pm; however, they generally allow those patrons who rented a bungalow to stay longer because of the amount of money they are spending at the venue. [REDACTED] said he heard his Security Lead Officer [REDACTED] make a radio transmission about a disorderly patron getting in his face and becoming aggressive. Upon hearing that radio transmission he proceeded to Bungalow #13. When he arrived he observed an agitated male party who was identified as Patterson. He described his agitation as his voice was raised and he was red-faced. [REDACTED] said he removed his security officer [REDACTED] from the area to deescalate the situation and await LVMP. Mr. [REDACTED] stated he followed LVMP down the ramp and into the "Fish bowl" area. He stated at some point he believes he was told by LVMP Officer that Patterson was a police officer. He stated Patterson was removed from mechanical restraints and brought to the holding trailer where he issued him a no trespass order to all Hakkasan properties. That trailer was audio and video recorded. Because of Patterson's conduct, he was issued a "Red Card" notice from Hakkasan properties and escorted off the premises. [REDACTED] indicated this was unusual due to the fact that he had assaulted a security officer. IAS Witness Interview Form is attached as Exhibit #15. A copy of Mr. [REDACTED] full transcript is attached as Exhibit #16. A copy of the F.O.R.C.E. Concept Training Syllabus is attached as Exhibit #17.

EXHIBIT #15

EXHIBIT #16

EXHIBIT #17

9. I spoke with Security Officer [REDACTED]. The following is a summary of that interview: Security Officer [REDACTED] has been employed with Hakkasan for over 2 ½ years and has participated in the same or similar training as [REDACTED]. On Friday, June 7, 2019, at the conclusion of the event, Security Officer [REDACTED] was asked by one of his officers, [REDACTED] to assist with a disorderly party located in Bungalow #13. Security Officer [REDACTED] informed Security Officer [REDACTED] that a female party had "flipped him off" when he had asked her to get out of the pool. As a result of this information, Security Officer [REDACTED] put his radio "on-line." Security Officer [REDACTED] explained putting his radio "on-line" meant he was notifying other security personnel and MGM Surveillance (AKA Eagle) there possibly could be an issue and if the signal is given surveillance will closely monitor. He arrived at the bungalow and advised the patrons there that the event was concluded. A male party approached him and began to be argumentative and aggressive and said, "Fuck you. I'm not moving anywhere. I don't have to go anywhere." Security Officer [REDACTED] stated that the male party flipped his baseball hat off his head and in doing so, struck his forehead. After that occurred, security officer [REDACTED] put himself on-line and requested backup and surveillance. LVMP arrived and the patron was identified as Patterson. He was handcuffed and removed from the bungalow. During the interview I had Security Officer [REDACTED] view the MGM surveillance footage and the BWC footage. He identified the party who flipped off his hat and struck his forehead as Patterson. Security Officer [REDACTED] stated that he was concerned when he learned that Patterson only received a Red Card instead of a citation. He explained that Patterson put his hands on him and that it seemed as though Patterson was getting a "pass" over other guests

because he was a cop. Security Officer [REDACTED] did file an incident report. A copy of Security Officer [REDACTED] incident report has been referenced previously as exhibit #13. A copy of Security Officers [REDACTED] Witness Interview form and complete transcript is attached to this document as Exhibit #18.

EXHIBIT #18

10. I spoke with Hakkasan Security Manager [REDACTED]. The following is a summary of that interview: Mr. [REDACTED] has been employed with Hakkasan for 9 years. Mr. [REDACTED] explained Hakkasan is the managing company for Wet Republic. MGM hires Hakkasan Corporation to oversee their entities. Hakkasan Corporation manages numerous properties in other states and countries. Mr. [REDACTED] was asked to explain the difference between a Red Card Notice and a Citation. Mr. [REDACTED] advised me that a Red Card Notice is an "informational" card simply stating LVMP was involved in an incident and provides the corresponding event number. A Citation is issued by the State of Nevada and the state keeps a record of the incident. The state does not keep any record of Red Card Notices. Mr. [REDACTED] explained they are getting away from issuing Red Card Notices because they are not tracked by the state. He explained that if LVMP comes in contact with someone and identifies them, they would have no idea that that individual had been involved in a prior incident because the Red Card Notice is not tracked. Alternatively, if a citation is issued, they would have that information immediately. I asked Mr. [REDACTED] how he learned of the incident in Bungalow #13. He stated he heard over the radio that one of his security officers was asking for LVMP. He responded to the area and spoke with his Security Officer [REDACTED] and was informed of what had occurred. He asked [REDACTED] if he wanted to press charges and [REDACTED] stated he did not but did want him issued a notice of trespass. Mr. [REDACTED] said LVMP ultimately brought Patterson to their trailer holding area. He stated, when he walked into the holding area, he observed Officer Eschevaria writing out a Red Card Notice. Mr. [REDACTED] said he was not happy about that because Patterson had assaulted one of his officers. Mr. [REDACTED] stated that he believed LVMP were helping Patterson out because he was a police officer. Mr. [REDACTED] said he was concerned because it shouldn't matter who you are. If you put your hands on one of his employees, he wants it [REDACTED] as far as possible. Mr. [REDACTED] said the following day LVMP Lieutenant Kendal Bell met up with him at his office to be briefed about the prior events. Mr. [REDACTED] explained he and LVMP Lieutenant Bell typically meet to discuss any incidents that may have occurred. During that briefing, Mr. [REDACTED] informed Lt. Bell what had occurred with Patterson, his officers, and the Red Card Notice. Lt. Bell immediately contacted the Watch Commander and asked if they were notified of the police contact per LVMP Policy. The Watch Commander advised Lt. Bell he had not been informed of the contact. As a result of that conversation, an email was sent out requesting an internal affairs inquiry into the actions of Officer Eschevaria and Officer Jackson. A copy of the email has been previously referenced in exhibit #3. A copy of Mr. Peter's Witness interview form and full transcript is attached to this document as Exhibit #19.

EXHIBIT #19

11. I was unable to interview Security Officer [REDACTED] due to a medical emergency. Security Officer [REDACTED] had previously filed a report regarding the incident. In that report he wrote that he had told a female to get out of the pool and she gave him "an ugly

word.” He called his Lead Officer and told him what happened. He wrote that her “BF” came over and started being aggressive saying, “Fuck you. I’m not leaving. I paid a lot of money.” He then hit the Lead Officer in the face and his hat came off. They called for backup. Security Officer [REDACTED]’s report is attached to this document as Exhibit #20.

EXHIBIT #20

12. I contacted LVMP and requested to speak with Officer Eschevaria and Officer Jackson. Both officers declined to be interviewed.

13. On Friday August 9, 2019, a witness call in letter was sent via Departmental email to Trooper Timothy Benedetto (henceforth identified as Benedetto) instructing him to participate in an interview regarding information he may have relative to the incident which occurred on June 7, 2019, at Wet Republic Bar. Also copied on that email were Troop A Major Russolillo, SP Revere Station Commander Walter J. Hanley, and State Police Association of Massachusetts (SPAM) Representative Dale C. Jenkins.

14. On Tuesday, September 3, 2019, I, along with Detective Lieutenant Robert Fries, conducted an interview of Benedetto. Also present during the interview were SPAM Attorney Leonard Kesten and SPAM Representative Trooper Dale Jenkins. The interview was audio recorded and conducted at the Massachusetts State Police Headquarters in Framingham, MA. Benedetto agreed to waive the reading of his administrative rights, a copy of which is attached. The following is a summary of that interview: Benedetto stated that [REDACTED]

[REDACTED] Benedetto stated [REDACTED]

[REDACTED] Benedetto stated [REDACTED]

[REDACTED] He stated [REDACTED]

[REDACTED]). Benedetto stated that [REDACTED]

[REDACTED] Benedetto stated [REDACTED]

[REDACTED] Benedetto believes his portion was \$2,500.00. Benedetto was asked how he knew the event was over. He said [REDACTED] The music stopped and the bill was delivered and that’s pretty much how he knew the event had concluded. Benedetto stated [REDACTED]

[REDACTED] . Benedetto said [REDACTED]

[REDACTED] Benedetto said [REDACTED]

[REDACTED] Benedetto stated [REDACTED]

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))

Benedetto stated he

I asked Benedetto if he observed Patterson having a conversation with Wet Republic Security. He responded ^{G.L. c. 4}. At this point Attorney Kesten requested a break and we went off record at 10:49 a.m.

At 11:00 a.m., we went back on record. Attorney Kesten stated on the record that there was a lot of alcohol being consumed over the course of several days and memories can be different. He requested that the surveillance footage be shown to Benedetto. I advised Attorney Kesten I was not prepared to show the surveillance footage and reminded him that Benedetto was here as a witness only. SPAM Representative Jenkins also wanted to voice that Benedetto's recollection was obviously "foggy" and he did not want to inadvertently testify to something that he doesn't recollect. Attorney Kesten had brought up an image on his computer of the Wet Republic Pool Area. I pointed out the bungalow area and the astro-turf/pool area where Benedetto's girlfriend had the interaction with the security officer. Trooper Jenkins wanted to clarify that Benedetto's girlfriend was not in fear for her life. I stated I never inferred that she was in fear for her life, but that simply there was an incident where she was visibly upset.

Benedetto stated ^{G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))}. He did observe an interaction with Patterson and the security officer but did not recall hearing anything and did not observe any pushing or shoving. He did not recall any physical contact. He stated ^{G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))}

He stated that ^{G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))}

Benedetto stated ^{G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))}. He was trying to figure out what was going on and saw Patterson was placed in handcuffs and removed. Benedetto followed behind the LVMP. He could not recall if he identified himself or Patterson as Massachusetts State Troopers. He could not recall if he asked for any consideration to get Patterson out of handcuffs. Benedetto stated he ^{G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))}

Benedetto was asked if he spoke with LVMP Officers. He could not recall a specific conversation. I then showed a portion of the BWC and asked him to identify people in the image. The BWC footage that was shown was at the :53 second mark. He identified the bungalow area, himself, and Thomson. I then forwarded the BWC to 1:24 and asked who the male party in black Under Armour shirt was. He only knew him as a Lowell Police Officer named Dave. I stopped the BWC at 3:50 seconds. He identified Patterson and one of the LVMP Officers. I then showed BWC #2 at the 2:32 second mark and played it until the 2:55 mark. I identified the Wet Republic Security Officers to Attorney Kesten and Trooper Jenkins and asked Benedetto if he recalled the conversation he had with the LVMP. He stated ^{G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))}

At the conclusion of the interview, I asked Benedetto if I had given him the opportunity to fully answer the questions I had asked of him. Benedetto, Attorney Kesten, and Trooper Jenkins all stated that I had given him the opportunity to fully answer my questions. The interview was concluded at 11:21 a.m. A copy of Benedetto's call-in letter, Administrative Rights Form, Waiver of Reading of Administrative Rights and full transcript are attached to this document as Exhibit #21.

EXHIBIT #21

15. On Tuesday, September 17, 2019, I sent a witness/subject notification notice to Trooper Stephen Thomson, ID#4048. As a result of my administrative investigation into the conduct of Patterson, I determined Thomson was present at the Wet Republic Pool Bar on Friday June 7, 2019, and may have pertinent witness information regarding the incident involving Patterson. My investigation revealed Thomson had called on sick leave for Saturday, June 8, 2019, and Sunday, June 9, 2019. In review of the station roster, I learned he had been assigned to the 2300-0730 hour shift. This assignment would have required him to report for duty on Friday, June 7, 2019 at 2300 hours. I have positively identified Thomson as being in Las Vegas, Nevada during that time period. I therefore notified him as a subject for possible sick leave abuse. A copy of Thomson's submitted PayStation was provided to reasonably apprise him of my investigation. Also copied on that email were Troop A Major Russolillo, SP Revere Station Commander Walter J. Hanley, and SPAM Representative Dale C. Jenkins. On Wednesday, October 9, 2019, I, along with Detective Lieutenant Marlowe, conducted an interview of Trooper Stephen Thomson. Also present were SPAM Attorney Joseph Kittredge and SPAM Union Representative Trooper Dale Jenkins. The interview was conducted at Massachusetts State Police General Headquarters and the entire interview was audio recorded. Thomson agreed to waive the reading of his administrative rights and a copy of that document is attached. Attorney Kittredge requested to put on the record that Thomson's rights under article 27 were not afforded regarding the June 9, 2019 sick leave date, but Thomson had elected to proceed with the interview regardless. The following is a summary of that interview:

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

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

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

Thomson stated 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))

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

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

Thomson was asked what time the event concluded. He explained G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

At Wet Republic, he said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)). The music and DJ stop playing and the staff starts clearing people out. He 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))

Thomson said he 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))

In doing so, she had to walk down a set of stairs. He said he G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

He was initially stopped from returning, but explained to security that he was with the group trying to pay the bill. When he returned to the bungalow, he was informed by someone that one of the security officers yelled at her. He stated 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 was asked if he observed anyone in his group interact with security. He stated 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 was standing off to the security officer's left side. He said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

. After that occurred, he was unsure of any conversation between Patterson and the security officer, they were at a standoff. Shortly thereafter, Thomson did notice that after the security officer's hat got flicked off other security officers were called to the area. He stated G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))
He stated G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Thomson explained the bungalow is not all inclusive, and one must pay for liquor, food, and any additional beverages. That is why it took longer to get the bill paid and the waitress had to go back to the main bar to complete the credit card transaction. He said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

Nobody was driving. They could walk anywhere. Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))
Patterson was 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 stated 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))

Thomson was shown a portion of BWC of the LVMP officers. The footage clearly shows Thomson speaking with the LVMP officer. The audio portion of the BWC was not activated. After review of this footage, Thomson stated G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

I asked Thomson if he called in sick for his scheduled work shift, June 8, 2019. Attorney Kittredge interjected and wanted to put on the record that, in his opinion, in an effort to protect his client's privacy interest, he did not want anything turned over to anybody or produced as part of any other investigation because he believes doing so would be an infringement and invasion of Thomson's right to privacy. Attorney Kittredge had previously requested the interviews be separated; however, upon consultation with Captain O'Leary, it was determined to have one interview. Attorney Kittredge wanted it clearly on the record that, in his belief, by including this interview as part of any investigation other than his client's investigation, it would be an invasion of his privacy.

I continued with the interview and asked Thomson if he called in sick leave for his scheduled June 8, 2019 midnight shift. Thomson admitted that he did call in sick. He stated he G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)). I asked him if he had requested permission from his Station Commander, per policy, to leave the Commonwealth while on sick leave. Thomson said G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s)). I asked Thomson if he was on sick leave during the time period when he attended the Wet Republic event on June 7, 2019. Thomson stated G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))

I showed Thomson a copy of the Daily Administrative Journal for both days and made note of the log entry from 0915, hours June 7, 2019 – "Thomson, 4048, call in sick leave for the mid shift June 8th." I advised Thomson that when he called the barracks and requested to be placed on sick leave, at that point his duty status

changed to sick leave. He stated [G.L. c. 4 sec. 7 cl. 26 (f)(witness identification/statement(s))] I again asked him if he was on sick leave status when he attended the event at Wet Republic and he stated [G.L. c. 4 sec. 7 cl. 26 (f)(witness identification/statement(s))] Detective Lieutenant Marlowe asked if he had made any attempts to get the day off using vacation or personal time. Thomson stated [G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))]

[redacted]. He stated he [G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))]

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

[redacted]. I asked if he considered doing a shift swap with another trooper in the barracks. He stated the [G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))]

[redacted] Trooper Jenkins then interrupted and stated SP Revere is the shortest staffed barracks in A Troop and the Ernst and Young staffing study indicated the MSP should have 2700 State Troopers on the road and "we have 935 Troopers." He went on to state that Troop A is the shortest Troop, despite having the highest activity. Detective Lieutenant Marlowe advised Trooper Jenkins that we are well aware of the staffing levels. Trooper Jenkins continued to state Thomson was one of the most active troopers and has an excellent working record. I stopped Trooper Jenkins at this point. I asked Thomson if he called in sick the following day, Saturday June 8, 2019, into Sunday, June 9, 2019. He stated [G.L. c. 4. sec. 7.cl. 26 (f)(witness identification/statement(s))]

[redacted] I then asked Thomson if I afforded him the opportunity to fully each question I have asked of him and he replied that I had. Trooper Jenkins asked if he could clarify some statements made by Thomson, specifically about flicking the hat off. I advised Trooper Jenkins he could only address SPAM contract-related questions as his counsel was present to clarify any other statements. Trooper Jenkins advised he had no further questions and the interview concluded at 11:21 a.m. Thomson's Witness/Subject call in letter, Administrative Rights form-witness, Administrative Rights form-subject, Waiver of reading of Administrative Rights are attached as Exhibit #22. A copy of Thomson's PayStation submission w/e June 8, 2019 is attached as Exhibit #23. A copy of Thomson's PayStation submission w/e June 15, 2019 is attached as Exhibit #24. A copy of SP Revere Daily Administrative Journal for Friday, June 7, 2019 is attached as Exhibit #25. A copy of SP Revere Daily Administrative Journal for Saturday, June 8, 2019 is attached as Exhibit #26. A copy of Thomson's full transcript is attached as Exhibit #27.

EXHIBIT #22
EXHIBIT #23
EXHIBIT #24
EXHIBIT #25
EXHIBIT #26
EXHIBIT #27

16. On Monday, November 25, 2019, I sent Patterson, via certified mail, a notice to appear for a subject interview relative to his conduct at Wet Republic Pool Bar in Las Vegas, Nevada on June 7, 2019. I included copies of [G.L. c. 4. sec. 7 cl. 26 (f)(witness identification/statement(s))] s interview transcript to reasonably apprise Patterson of the nature of the complaint. I emailed his SPAM attorney Daniel Moynihan, a copy of the call in notice and copy of the transcript. The interview was scheduled for December 12, 2019. The interview was rescheduled for December 18, 2019, at the request of Attorney Moynihan. Patterson waived the reading of his contractual rights. At the

commencement of that interview, Patterson invoked his rights referencing the Baglioni/Carney cases. He stated he was invoking his rights on the basis of the alleged assault. Patterson wanted to add for the record that **G.L. c. 4. sec. 7.c. 26 (c)(medical)** [REDACTED]. The interview was concluded. Patterson's Subject call in letter, Administrative Rights-Subject, Waiver of the Reading of the Administrative Rights and copy of full transcript is attached as Exhibit #28.

EXHIBIT #28

17. A copy of Patterson's concise history report is attached as Exhibit #29. A copy of Thomson's concise history report is attached as Exhibit #30.

EXHIBIT #29

EXHIBIT #30

TROOPER ANDREW PATTERSON
CONCLUSION

18. Trooper Patterson, while off duty and on vacation in Las Vegas, Nevada, attended an afternoon event at the Wet Republic Pool Bar. At the conclusion of the event, in an extremely intoxicated state, Patterson was involved in a verbal and physical altercation with an unidentified female and Wet Republic Security Officer. Patterson, using his hand, shoved a female back and away from him. Less than one second later, Patterson, using his hand, did intentionally flip the baseball hat from the head of Wet Republic Security Officer [REDACTED] and, in doing so, came in contact with Mr. [REDACTED] forehead. This action was captured on MGM surveillance video. Also witnessing the flipping off of the hat was Wet Republic Security officer [REDACTED] and MSP Trooper Stephen Thomson.

19. After being detained and investigated for an assault of a Wet Republic Security Officer, Trooper Patterson was handcuffed by Las Vegas Metropolitan Police. While being escorted out of the facility, Trooper Patterson did identify himself as a Massachusetts State Trooper. This event was captured on both of the Las Vegas Metropolitan Police Officer's body worn cameras.

20. While being detained in the Wet Republic holding trailer Trooper Patterson insulted a Wet Republic security officer by calling him a "clown." This was captured on audio and video surveillance.

TROOPER ANDREW PATTERSON
RECOMMENDATION

21. As to the allegation that Trooper Andrew Patterson, while intoxicated and displaying aggressive behavior, did intentionally push a female back and away from him, the complaint or incident is supported by sufficient evidence to prove employee misconduct.
SUSTAINED.

22. As to the allegation that Trooper Andrew Patterson, while intoxicated and displaying aggressive behavior, did intentionally knock the baseball hat from the head of Wet Republic Security Officer [REDACTED] and, in doing so, struck his forehead, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

23. As to the allegation that Trooper Andrew Patterson, while under investigation for assault, identified himself as a Massachusetts State Trooper after he was handcuffed and being detained to curry favorable treatment for the Las Vegas Metropolitan Police Department, there is insufficient evidence to prove or disprove the complaint. Although it was unusual that Trooper Patterson only received a Red Card Notice as opposed to a Citation, my investigation did not reveal any evidence that Trooper Patterson specifically asked for any preferential treatment. **NOT SUSTAINED.**

24. As to the allegation that Trooper Andrew Patterson, while being detained in the Wet Republic holding trailer, after having identified himself as a Massachusetts State Trooper, did verbally insult a Wet Republic security officer by calling him a "clown," with said conduct captured on audio and video surveillance camera, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

TROOPER STEPHEN THOMSON
CONCLUSION

25. On Friday, June 7, 2019, Trooper Stephen Thomson notified the State Police Barracks and reported that he was sick and unable to perform his assigned duties. At the time this call was placed Trooper Thomson was in Las Vegas, Nevada. Trooper Thomson stated he was aware he would have been denied vacation time off. As a result, he knowingly called in sick when he was not sick. Trooper Thomson did not notify his Station Commander he was outside the Commonwealth while on sick leave.

26. On Saturday, June 8, 2019, Trooper Stephen Thomson notified the State Police Barracks and reported that he was sick and unable to perform his assigned duties. At the time this call was placed Trooper Thomson was in Las Vegas, Nevada. Trooper Thomson stated he was aware he would have been denied vacation time off. As a result, he knowingly called in sick when he was not sick. Trooper Thomson did not notify his Station Commander he was outside the Commonwealth while on sick leave.

TROOPER STEPHEN THOMSON
RECOMMENDATION

27. As to the allegation that on June 7, 2019, Trooper Stephen Thomson called on personal sick leave for his assigned midnight shift for June 8, 2019, while he was in Las Vegas, Nevada and was not sick, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

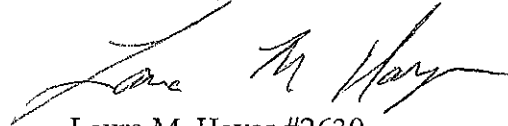
28. As to the allegation that on June 8, 2019, Trooper Stephen Thomson was outside of the Commonwealth of Massachusetts while on sick leave without authorization of his

Commanding Officer, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

29. As to the allegation that on June 8, 2019, Trooper Stephen Thomson called on personal sick leave for his assigned midnight shift for June 9, 2019, while he was in Las Vegas, Nevada and was not sick, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

30. As to the allegation that on June 9, 2019, Trooper Stephen Thomson was outside of the Commonwealth of Massachusetts while on sick leave without the authorization of his Commanding Officer, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED.**

Respectfully submitted,



Laura M. Hayes #2630

Detective Lieutenant-Internal Affairs Section
Department of State Police