

# Three cops say they did nothing wrong

■ **IN BRIEF:** The Freedom of Information Commission is still deliberating on whether the 100-plus page police report on the stag party investigation should be released publicly.

By Alexis Maislen  
Staff Writer

*Editor's note: Due to an editor's error, the second half of this story did not appear in the Oct. 30 weekend edition of Shore Line Times. The story appears here in full.*

**MADISON** — A poster on a wall in the police station lobby reads, "A policeman is a composite of what men are ... a mingling of saint and sinner; dust and deity." These last few weeks the public saw another side to their own police department.

But three of the five officers disciplined for their alleged participation with a prostitute at a stag party last year said they did nothing wrong and have filed grievances with the police commission. Chip Walsh, attorney for the police union and who is representing the three officers, said the officers felt disconcerted that the facts of what happened at the stag party do not support the evidence the department has against them.

"I think when you're an officer and a good officer like each one of these individuals it is disconcerting when you're charged with violation of the rules and regulations that the facts don't support," said Chip Walsh. "Just because you're charged with something doesn't mean you committed the act."

After receiving advice from town counsel, Police Chief Paul Jakobson changed his mind and released the names of the four officers suspended without pay and a supernumerary who was fired for their alleged sexual activity at the Westbrook Elks stag party on Oct. 24, 1998. Jakobson, however, still refuses to release the 100-plus page report on the stag party investigation unless the Freedom of Information (FOI) Commission orders him to. The New Haven Register filed a complaint with the FOI Commission, a hearing took place last week, and the commission is deliberating on whether to release the report to the public.

"Based upon conversation and advice from the town counsel, I decided it was

proper to release the names," said Jakobson, who would not elaborate further.

Officer Harry Anderson, 51, violated the department's code of ethics as well as four other department regulations: prohibited conduct, conduct unbecoming an officer, conduct that cast disrepute on the department, and "any other acts contrary to good order and discipline."

Anderson received a five-day suspension without pay that was in effect from Oct. 19 through Oct. 24.

Sgt. Keith Ellery, 34, violated the following department regulations: violation of code of ethics, prohibited conduct, conduct unbecoming an officer, conduct that cast disrepute on the department, and "any other acts contrary to good order and discipline."

Ellery received a two-week suspension without pay effective from Oct. 19 through Oct. 31.

Officer John W. McDevitt, 34, violated the department's code of ethics as well as the following rules: prohibited conduct, conduct unbecoming an officer, false official statement, conduct which cast disrepute on the department, and "any other acts contrary to good order and discipline."

McDevitt received a one-month suspension without pay effective from Oct. 21 through Nov. 16.

Officer Donald Lanouette, 35, was disciplined for violating the department's code of ethics, prohibited conduct, conduct unbecoming an officer, false official statement, conduct which cast disrepute on the department, and "any other acts contrary to good order and discipline."

Lanouette received a one-month suspension without pay effective from Oct. 18 through Nov. 13.

James Massella, 40, a supernumerary since June of 1998, violated the following department rules: charged with respect, violating the department's code of ethics, prohibited conduct, insubordination, neglect of duty/disobedience of orders, conduct unbecoming an officer, false official statement, conduct which cast disrepute on the department and "any other acts contrary to good order and discipline."

Massella, a volunteer with the department, was told by the chief to hand in his police identification and weapon by Oct. 15. He retired from the force after 10 years of service in 1996.

Ellery, Lanouette and McDevitt filed grievances with the police commission to

contest that they did not do anything wrong and the discipline they received was unjust, said Chip Walsh, attorney representing the police union.

"The contention here is that they have not acted in any manner to violate the rules and regulations and the discipline they received was unjust," said Walsh. "Ellery, Lanouette and McDevitt did not violate the department's regulations at or after the stag party." Walsh does not represent Massella.

Shore Line Times contacted each of the five officers to ask their side of the stag party story but none returned the calls. Walsh said he had advised them not to take calls from the press.

"We don't want this case litigated in the press," said Walsh.

Walsh could give no guarantee whether the grievances will be held in open or closed session at the police commission meeting next month.

"The officers want to expedite the process but have ample opportunity to defend the charges against them," said Walsh.

*"I think when you're an officer and a good officer like each one of these individuals it is disconcerting when you're charged with violation of the rules and regulations that the facts don't support."*

- Chip Walsh,  
police union attorney

"The town will not be able to prove charges. There is no evidence to support the charges," said Walsh. "After the hearing, I am confident the officers will be exonerated."