

**INTERNAL AFFAIRS INVESTIGATION**

**WOLFEBORO, NEW HAMPSHIRE**

**JUNE 2023**

CONFIDENTIAL

Prepared by:  
Municipal Resources, Inc.  
66 Main Street, Suite B  
Plymouth, NH 03264  
603-279-0352  
[all@mrigov.com](mailto:all@mrigov.com)

66 Main Street, Suite B  
Plymouth, NH 03264

119 International Drive  
Portsmouth, NH 03801



Telephone: (603) 279-0352  
Toll Free: (866) 501-0352

all@mrigov.com  
www.mrigov.com

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APRIL-MAY 2023

### INTRODUCTION

Municipal Resources, Incorporated, (MRI) of Plymouth, New Hampshire was engaged by Preti Flaherty Attorney Peter Callaghan, on behalf of the Town of Wolfeboro, NH to conduct an independent review of complaints made by **Redacted** related to alleged conduct by Police Chief Dean Rondeau and Captain Mark Livie:

1. **Redacted** alleged that Rondeau has posted “disturbing images” on his personal Facebook page that “show insensitivity to women and to people who identify as transgender or LGBTQ+.”
2. **Redacted** further alleged that Rondeau and Captain Mark Livie had multiple conversations with subordinates during which they insulted **Redacted**. **Redacted** alleged that other conversations included references to **Redacted** and “**Redacted** **Redacted**.”

On behalf of the Police Commission, Attorney Callaghan also directed MRI to review:

3. Allegations made by Chief Rondeau of conduct by parties unknown, relative to Wolfeboro Police Department Internal Affairs investigation # IA 22-03, 23-IA-02, and 23-IA-03. Each of Rondeau’s allegations is related to the cause of investigation(s) or influence over the outcome of the investigation(s). Rondeau alleged in his IA complaint that “someone (the reporting party or parties) may have lied, co-opted others, either wittingly or unwittingly, and/or withheld potentially exculpatory information from the County Attorney’s Office to sully Captain Livie and his reputation.” Hereafter, the internal investigation associated

with this specific complaint may be referred to by the investigator's name (Santuccio) or by Carroll County Sheriff's Office, or simply CCSO.

4. Rondeau alleged "harassment and bullying" of officers by "a cabal within the PD" relative to organizational sides taken within WPD linked to the listed internal investigations.
5. MRI was asked by Police Commission Chair Steve Wood to determine whether, without authorization, a member of the department had informed media sources of the investigation and leave status of Chief Rondeau.

MRI Senior Consultant and Director of Police Services Sean Kelly was assigned to conduct the administrative investigation. Technical examination of relevant electronic evidence was conducted by Senior Consultant Jim Dowling.

## INTERVIEWS

Redacted

Redacted was interviewed in Redacted office at the Redacted; the interview was recorded.

When asked, Redacted identified the April 7, 2023 memo addressed to Wolfeboro Police Commissioner Shawn Coope as Redacted complaint (**ATTACHMENT A**). Redacted written complaint summarizes concerns about alleged remarks and conduct by former Wolfeboro Police Chief Dean Rondeau. Redacted further identified photocopied images allegedly taken as screenshots of Rondeau's Facebook account as only a few of the images Redacted had in Redacted possession. Since the interview, Redacted has forwarded additional images (**ATTACHMENT B**).

Note: The images provided by Redacted were shown to Rondeau by MRI when he was interviewed with his legal counsel present (see Rondeau interview summary below). He acknowledged that the screenshot images were from his Facebook account; that he had posted them; and that he finds them funny.

When asked, Redacted explained that Redacted found the images "disturbing" due to the misogynistic and transphobic nature of the images and accompanying text. Redacted

Redacted

Redacted

Redacted defense include painting the principal law enforcement officer of the town with a bias related to women and sexuality. At a

minimum, [Redacted] believes that Rondeau's posts on Facebook were unprofessional; [Redacted] believes that if the department has a social media policy, the posts would likely be in violation.

Similarly, [Redacted] expressed [Redacted] concern that at a department meeting at the police department, being called a "[Redacted]" and having "[Redacted]...", undermines [Redacted]. Further, [Redacted] is concerned that these expressions, when made in front of female subordinate employees at the Wolfeboro Police Department, set a cultural tone at the department that minimizes the value of women, particularly women in [Redacted].

In a follow-up email, [Redacted] provided the names of witnesses; and additional images [Redacted] had received that were described to [Redacted] as having been copied from Rondeau's personal Facebook page.

### **Mark Livie, Captain**

Livie was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

When asked questions about [Redacted] complaints of Rondeau, Livie described a strained relationship between Rondeau and [Redacted] that ranges back several years. Livie said that the relationship deteriorated over time; to his knowledge, there was no single incident that led to poor relations. As a result of the poor relations, Livie offered and was assigned to be [Redacted]. Livie described his relationship soured with [Redacted]. Subsequently, Rondeau assigned [Redacted] to Lt. Maloney after first promoting him from Staff Sergeant to Lieutenant.

Livie also described that his duties related to patrol and operations were assigned by the Police Commission to Maloney due to the poor relations that Livie was perceived to have within the department. Livie described that the Commission had spoken with all members of the department. As a result, Livie said that Commissioner Wood had told him that there were "cancerous members within the department that had to be gotten rid of."

Livie acknowledged that when he jumped from senior patrol officer to Captain, he'd had no training to be Captain. He thinks that he should have been given training similar to an FTO program to prepare him better. He said that at the outset, Rondeau's instructions to him were to write policy, keep the department from being sued, and keep Rondeau from being blindsided.

As related to the organizational structure and assignment of leadership tasks, Livie's description is of a department in disarray, including an unusual ratio of ranking officers to patrol level officers (8 ranking officers to just 5 without rank).



When asked about [Redacted] complaint of Rondeau making remarks about [Redacted] sexuality and sexual conduct, Livie said that it was true: he recalled that Rondeau made inappropriate remarks in his presence. Though he described the remarks being made when no one else was present, he also described the room being poorly insulated and Rondeau speaking very loudly. Livie described Rondeau's office windows being open; the open window overlooks the cruiser parking area. Livie believes that others in the building and those in the parking lot could have heard the remarks. Livie has heard Rondeau referring to [Redacted] and [Redacted] as "[Redacted]" Livie acknowledged that Rondeau has made insensitive remarks about women and women's issues. He also said that the assertion made by others that Rondeau has been heard saying something to the effect of "the waters cold and deep" when using the bathroom was true; the remark had been made loudly enough that it could have been heard by others.

When asked about Facebook posts provided to MRI, Livie said that he has seen some of the posts and that he has told Rondeau to get off of Facebook.

Livie confirmed that inappropriate remarks made by Rondeau about women's issues, sexuality, and [Redacted] have been said in people's presence as well as those that would have been overheard in the building. Livie also confirmed having seen many of the postings on Facebook that were described as offensive by [Redacted] and [Redacted]

When asked about Rondeau's allegation that someone had lied to CCSO's Santuccio during the internal investigation related to the [Redacted] death scene, Livie claimed that someone lied [Redacted] that they had not been called out to assist him at [Redacted] home. Though he implied that it was [Redacted] that had gone to [Redacted] because of their friendly relationship outside of work, he has no knowledge of who it may have been.

While additional notes related to the CCSO internal investigation into the facts and circumstances surrounding Livie's request for assistance are found within the interview summaries below, MRI agrees with Lt. Santuccio's conclusion that assumptions were made about the "callout" without all of the information known at the time that the accusations were made. The absence of complete information was perceived as a lie when no lie was made.

### **Guy Maloney, Lieutenant**

Maloney was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

When asked about [Redacted] concerns about inappropriate remarks made by Rondeau about [Redacted] Maloney remembered that Rondeau had remarked about [Redacted] He recalled that Rondeau knew that [Redacted] had [Redacted]

Redacted

Rondeau had told Maloney that Redacted had received a raise after Redacted Maloney recalls having heard Rondeau call Redacted a "Redacted". He also said that he's heard Rondeau referring to Redacted as a "Redacted". When referring to the phrase "Redacted", Maloney said that he believed Rondeau was referring to Redacted.

Maloney described the building as having thin walls; and that anything said by Rondeau, even behind closed doors, could be heard by others.

When asked about the Facebook posts provided by Redacted Maloney acknowledged that he was "friends" with Rondeau on Facebook, and he had seen the posts. He found the posts, as well as Rondeau's "liking" or "sharing" the posts, embarrassing because they are inappropriate, particularly for the Chief of Police. Maloney said that if Rondeau has those beliefs, he needs to keep them to himself; "It's wrong; we're public figures; he's the chief of police...it makes the PD look bad."

When asked, Maloney described a divide between "upstairs and downstairs." He described the Captain as being a micro-manager that had been promoted from the patrol level to captain. As a result, Livie doesn't enjoy the department's respect. Like others, Maloney described Rondeau retaliating against Mike Strauch and Mia Lyons as a result of his perception that they were not supportive of him. He believes that the poor relationships within the department, particularly those between command staff and line officers, are known throughout the county, and it is negatively impacting the ability of the department to recruit quality police officers.

When asked about the unauthorized release of information to the media about Rondeau being placed on leave, Maloney admitted that he had created a fictitious email account with the intent of embarrassing the chief by making a transgender advocacy group aware of his Facebook posts and remarks. He created the email account before this investigation was initiated; it was not originally intended to expose Rondeau's administrative leave status. When asked why he had taken this drastic step, Maloney explained that he was embarrassed by Rondeau's posts. Maloney claimed that he did not use the email address but gave access to the account to Mike Strauch; it was Maloney's belief that Strauch was going to notify WMUR. Maloney claims that Strauch told him that he didn't use the email account but that he had a friend notify the media. See the "Technical Review" section below for more information.

When asked about the internal investigation of members of the department not responding to Livie's text for assistance that had been conducted by the Sheriff's Office relative to the Redacted

untimely death, Maloney said that he didn't respond because he had family plans. "I doubt anybody's going to respond to this text...I guess when you burn so many bridges, the guys aren't going to want to come and help you." There is no indication that Maloney was untruthful when the Carroll County Sheriff's Office investigated the circumstances surrounding the [Redacted] death scene investigation.

In a second interview of Maloney (recorded) approximately two weeks after the first, and after being given a Garrity Warning (**ATTACHMENT C**), Maloney gave MRI written permission to access the email records for the fictitious account he had created (**ATTACHMENT D**); see below for additional information about the technical data review.

### **Mike Strauch, Sergeant**

Strauch was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

When asked, Strauch said that he was present multiple times when Rondeau made inappropriate remarks about [Redacted]. Strauch recalled that the most recent occurrence was in late 2022. Typically, Rondeau's remarks about [Redacted] occurred during informal meetings. He specifically recalled Rondeau making a comment that [Redacted] were "[Redacted]" He also recalled Rondeau saying that [Redacted] and had [Redacted]. It is his belief the remarks were made because of poor relations between Rondeau and [Redacted] that Rondeau did not feel that [Redacted] was supportive of him and had been standing in the way of him doing his job.

Note: Used above and elsewhere in this report, the phrase "informal meetings" was defined by MRI to witnesses as unintended gatherings of department leadership with other personnel similar to water cooler or locker room conversations.

Strauch thinks that Rondeau's remarks were made as part of venting but that because he's the chief, he shouldn't be doing that in front of others. Strauch described Rondeau's behavior as "outlandish" and occurring so often that it became normal and "par for the course."

When asked about alleged remarks made by Rondeau relative to insensitivity toward women and the LGBTQ community, Strauch said that Rondeau referred to gay men by calling them "fagmire."

When asked whether Livie had also engaged in the conduct described regarding Rondeau, Strauch said that he did not recall Livie using those references or remarks but that he laughed along. Though Livie would occasionally refer to [Redacted] as a "pain in the ass", Strauch did not recall Livie making disparaging comments about [Redacted]. Strauch does not believe that Rondeau's behaviors are being reflected by the department now that he has resigned.

Strauch said that he used to be “friends” with Rondeau on Facebook; but as of early February 2023, Rondeau had “unfriended” him. Before being unfriended, Strauch recalls that Rondeau had posted disparaging remarks and images about women, gays, and transgender people. Remarking that he can’t believe that Rondeau would post the remarks under his full name while also being friends with politicians and community leaders, Strauch is concerned that the posts have negatively reflected on the department.

When asked whether he’d seen the screenshot images provided to MRI by **Redacted** Strauch said he’d seen some of them but not on Rondeau’s Facebook page.

Strauch described that Rondeau and Livie “made moves to put money in their pocket.” When asked what he meant, he described Rondeau and Livie as “greedy”, that they sought out overtime and detail opportunities that were not first offered to union members. When asked whether the union had stepped in to address his concerns, Strauch replied that there was a divide within the union between members that were supportive of Rondeau and Livie and others who were not. As a result, nothing had been done.

Note: MRI reviewed personnel documents of Rondeau and Livie. Documents include records of Commission action on Rondeau’s recommendation to pay Livie over time (despite being salaried) for patrol shifts he was compelled to cover when no other officer was available.

Strauch described having seen text messages between union members relative to the union vote of no confidence in Rondeau but could not characterize them as “bullying”. He does, however, characterize the way he has been treated by Rondeau and Livie as being bullied. Matters referred to as examples (K-9 program canceled, assignment as Administrative Sergeant) have already been brought to the attention of the Commission; they were not explored further by MRI.

Strauch lives in town. After seeing the plans for a new public safety building, Strauch said that he told Rondeau that he could not support the cost. He said that subsequently, Rondeau has described to people that Strauch was an “unloyal employee.”

When Strauch was asked about the CCSO investigation of the **Redacted** death scene, he said that he doesn’t think that anyone lied to Santuccio, **Redacted**

**Redacted**

**Redacted** Relative to the belief that Livie had lied about reaching out to ask for assistance, Strauch explained that he thought a text message gave the request the urgency of having a down power line; he believes that Livie should have called Detective Emerson directly.

## Jarrold Beaulieu, Sergeant

Beaulieu was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

When asked, Beaulieu described having been present on one occasion when Rondeau made inappropriate remarks about **Redacted** but could only recall that Rondeau's remarks were about him (Rondeau) and **Redacted**

Beaulieu has seen the images that had been posted on Rondeau's Facebook page that were associated with recent Bud Light advertising campaigns that are supportive of transgender people. Claiming that he has not had a Facebook account since **Redacted** he denies having seen any of the other posts provided by **Redacted**

When asked about the internal investigation conducted about Livie by the Carroll County Sheriff, related to the lack of assistance at the scene of an untimely death, Beaulieu said that no one would help the captain when the call went out for needed staffing. He said that had it been anyone else, people would have come in from off-duty to assist. "A lot of people don't have faith in the captain." It is Beaulieu's observation that Livie is good at the administrative responsibilities of his position but is not skilled in patrol or detective work (MRI's choice of words). When asked for more information, Beaulieu said that he'd called in sick on the day of the **Redacted** death scene; his shift was covered by Captain Livie. Information believed about the scene and the subsequent death investigation was learned by Beaulieu later. He did not respond to the dispatch center's text request for assistance. "A lot of people at Wolfeboro have this hatred towards the captain, so for some reason...no one even responded to the text because the captain was working. No one was gonna come help the captain..." When asked whether he'd heard information from others that would suggest that people had been untruthful with the CCSO internal investigation, Beaulieu said, "I've not heard that, no." Other than having heard that the captain had been cleared of wrongdoing, he'd not heard any more about the CCSO investigation.

When asked whether the department was divided, Beaulieu described his belief that the divide was related to union business. The rift was within the union resulting from a vote of no confidence in the Chief. After the vote, "it was a mess", though the rift continues to exist "the wound is healing."

When asked whether those that voted against a vote of no confidence had been harassed or bullied, he said that he had been approached to change his vote. When pressed, after thinking for a moment, Beaulieu said that he thinks that it was more "lobbying" rather than bullying or harassment. When asked, Beaulieu said that he thinks that others that voted against a letter of no confidence may perceive the lobbying as bullying, but maintained his belief that it was lobbying and not bullying.

When asked, Beaulieu said that there was also a divide in the department between the Chief/Captain and the rest of the department. Now that the Rondeau is gone, he believes that the “target has moved to the captain’s back.”

Since Rondeau left the department, Beaulieu described feeling as though he is walking on eggshells. He no longer likes coming to work at Wolfeboro PD. His discontent began following the union vote.

Beaulieu denied knowing who released information to the media about Rondeau’s status.

### **Shane Emerson, Detective**

Emerson was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

Emerson described that when he was first assigned as a detective, he did not know the extent of what was needed to bring good cases [Redacted]

[Redacted] Emerson said that Rondeau would make remarks about cases on his Facebook page resulting in [Redacted]” Emerson said that when that happened, Rondeau would make disrespectful comments about [Redacted]: [Redacted]

When asked about the quotes found in [Redacted] letter to the commission, Emerson confirmed that Rondeau had called [Redacted] a “[Redacted]” but couldn’t confirm that he’d said, “[Redacted].” When asked about [Redacted] claim that Rondeau had talked about [Redacted] “[Redacted]” Emerson said that he hadn’t been present but had been told by Mia Lyons that Rondeau had made the remark. Emerson has not heard Rondeau call [Redacted] a “[Redacted]” but had been told by Lyons that it had happened.

Emerson described that his office is immediately across the hall from the gender-specific restrooms within the Wolfeboro police station. He has noted that Rondeau has frequently used the lady’s room to relieve himself. Emerson said that Rondeau has often made comments about or discussed his sex life. Rondeau’s comments are so frequent that Emerson described it as “Dean [Rondeau] being Dean.”

Emerson describes Rondeau as the “face of the franchise”; he is disturbed by things he’s seen on his wife’s (Emerson’s) Facebook account that Rondeau has posted are “beyond inappropriate.”

[Redacted]  
[Redacted] When asked about his opinion of Rondeau’s posts about the

LGBTQ community, Emerson said, “On a personal level it’s disgusting. On a professional level, it’s beyond disgusting and inappropriate.”

When asked about Livie’s involvement in Rondeau’s behaviors, Emerson said that he’s only heard things from others, he has not made direct observations. However, Emerson described that **Redacted** following Livie’s involvement in the **Redacted** death investigation. He said that Livie had approached him outside the station and asked whether their relationship was good. Livie followed that by saying to Emerson, “that fucking **Redacted** did this to me, I’ll never be in a room alone with **Redacted** again.” He denied knowing whether anyone had not been truthful when questioned by Lt. Santuccio during the CCSO investigation.

When asked about whether a divide existed in the department, Emerson described that the “greed and selfishness” exhibited by Rondeau and Livie has made people not want to come to work. When pressed, Emerson said that if “divide” is going to be used to describe the relationship between the Chief/Captain and everyone else, then it’s “100%” correct. He furthered his remarks by saying that now that Rondeau is gone, “...the captain is everyone’s best friend.” Now that Rondeau is gone, Livie has “no one to back him up.” As a result, it is Emerson’s perception that Livie is trying to build relationships. Emerson describes Livie’s recent behavior as being “so fake it is comical.”

When asked about whether Boucher and Beaulieu had been bullied, Emerson denied seeing this. He described that the union had a meeting to talk about a vote of no confidence in Rondeau and Livie. The members could not reach a consensus (MRI’s choice of words), resulting in a divide between those that were in favor of a letter of no confidence and those that were either not in favor at all or were not supportive of the union action at the time of the discussion. Within a couple of days, he described Rondeau and Livie talking loudly in the hallway about items that had been discussed during the union meeting. Emerson acknowledged that the remarks made by Rondeau and Livie were suspiciously similar to the contents of an email exchanged within the union (to the exclusion of command staff) following the union meeting but that he does not know who may have relayed union business information to the chief and captain.

### **Jason Boucher, Patrol Officer**

Boucher was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

Boucher is a retired full-time police officer that continues to serve Wolfeboro as a part-time officer.

When asked, Boucher did not recall having been present for, or having overheard Rondeau making negative remarks about **Redacted**. He said, “I knew that they weren’t good friends.”



Stating that he has limited use of social media when shown copies of Facebook posts provided to MRI by **Redacted** Boucher denied having seen any of them.

Boucher denied having been present for, overheard or seen any remarks or images associated with Rondeau having been insensitive to the LGBTQ community. He does recall having heard Rondeau make insensitive remarks about women that “made me turn my head.” As an example, he said that Rondeau has made remarks about a good-looking woman or the size of her breasts.

Boucher said that the culture at Wolfeboro PD is vastly different from his professional experience. What has been said at Wolfeboro PD would “not fly by no means” in his former workplace (Moultonborough Police Department). Negative comments about women or men at Moultonborough PD would not be tolerated and would result in remedial training or discipline.

Boucher agreed that the Wolfeboro Police Department has a policy that prohibits harassment but that it is not enforced. Several people in the Wolfeboro Police Department speak freely and inappropriately (referring specifically to dispatch). When asked, Boucher agreed that things said routinely at Wolfeboro PD would shock the conscience (MRI choice of words when the question was asked). Boucher said that it was so prevalent that he had spoken with former co-workers and told them that they would not believe the things that are spoken about at Wolfeboro PD. Like what? “Women, men, sexual, non-sexual.” He agreed that the comments at WPD are totally unprofessional workplace behavior, “yes, without a doubt.”

Boucher described that he does not go into the police station at all anymore. When pressed, he explained that he was primarily assigned as an SRO; as such, he has the flexibility to avoid going into the police station to perform his job tasks. When asked why, he said, “it’s a cesspool in hell in there.” Boucher defined the cesspool as the department being “...so toxic, so much hatred, you can’t trust a soul, and I really want no part of it.” The only reason he has stayed with the department is because Rondeau and Livie begged him to stay. As a result, Rondeau agreed to “stupid stuff” (conditions of work that included assignment as a school resource officer, his rate of pay, not having to wear a uniform, being able to pick and choose shifts to work, etc.) that Boucher demanded in order to stay.

Note: The conditions of work that Boucher spoke of are a cause of discontent within the department; full-time staff do not like the special treatment that Boucher enjoys as a result of Rondeau agreeing to meet his demands.

When asked about the toxicity, Boucher said that it started when Captain Livie got promoted. He stated that Strauch and Lyons were unhappy with Livie’s promotion and had bred the hatred ever since. With emphasis added, Boucher said that they hate Livie...and the Chief, too. “Mike and Mia were pushing to have a coup to have the Chief and Captain removed.” Boucher said that his



loyalty is with Rondeau and Livie because they hired him after his leaving Moultonborough PD so that he could get the years in service he needed for retirement [Redacted]. He believes that Strauch and Lyons are trying to get rid of Rondeau and Livie so that Lt. Maloney can be promoted to chief, "If Guy Maloney is police Chief, Mike and Mia will be protected."

When asked about the seemingly apparent divide within the department, Boucher said that there is no doubt that there is a split within the agency. Led by Strauch and Lyons, there are those that want the chief and captain gone and will take whatever steps necessary in an effort to get the two of them removed.

When asked, Boucher described that he had heard of the investigation of Livie by the CCSO about the [Redacted] death scene; he was not a participant in that investigation. When asked, he denied having heard any remarks made by those that did participate in the investigation that would have been untruthful.

#### **Mary Devine, Patrol Officer/SRO**

Devine was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

When asked whether she was present for, or overheard Rondeau making the remarks specified in [Redacted] letter to the Commission, Devine denied that she'd been present or overheard such remarks but qualified her response. When asked why she qualified her answer, Devine said that though he had not said those things in her presence or hearing, Rondeau had asked her and/or Sherri Moore to be present as witnesses if he had to speak with [Redacted] by phone because they did not get along. The conversations heard by Devine did not devolve into anything nasty; [Redacted] could not be heard making any negative remarks about Rondeau, but Rondeau could be heard making remarks about [Redacted] relationship with him. Devine recalled that the chief would remark about how [Redacted] hates him, and he hates [Redacted] Devine recalled that Rondeau would say how much he hates [Redacted] just about anywhere and in front of anyone. When asked, Devine said she has never heard Livie making similar remarks about the [Redacted]

When asked, Devine said that she hasn't heard Rondeau making insensitive remarks about women. However, she described being bothered when he would come into a room and say something to the effect of "good evening gentlemen" to the exclusion of the expected "ladies" when she was standing next to him. Further, she thinks it is "disgusting" when he would talk about having sex with his wife in front of anybody. When asked to describe what she meant, Devine reported that Rondeau would talk about having sex with his wife outside of his swimming pool at home which she thinks was "gross."

Devine has been “friends” with Rondeau on Facebook. Shown the images/screenshots provided by **Redacted**, she said that she had seen some of the posts and had taken screenshots of at least one from his Facebook page. She described them as “so embarrassing.”

Devine noted that Rondeau would post images similar to those provided by **Redacted** “like thirty times a day”. One day, nearly four years ago, Devine saw that, while on duty, Rondeau had posted a negative remark about Ellen DeGeneres being gay. Rondeau’s post was so offensive to her that she jumped her chain of command and went to Rondeau’s office to tell him that he needed to “cut this out.”

When asked about an organizational divide, Devine said that she believes one exists between the Chief/Captain and everyone else. On a personal level, she perceives the divide between them and her as they don’t support her professional development, nor her current assignment as SRO. Devine notes that since Rondeau has left the department, Livie has been more supportive of her.

Devine also described her belief that there is a divide within the patrol that is related to those that wanted a letter written by the union (part of this investigation) and those that did not have an interest. She does not think that there has been bullying but that there has been discourse. When asked, Devine said that the drama has left officers not wanting to work and contemplating leaving law enforcement altogether.

When asked about the internal investigation conducted by the CCSO related to the **Redacted** death scene, Devine said that she had not been interviewed by CCSO Lt. Santuccio. No further questions were asked of her.

### **Mia Lyons, Dispatcher**

Lyons was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

Lyons said that she was present for a staff meeting with Rondeau and Livie when Rondeau referred to **Redacted** as a “**Redacted**”. The meeting took place in Rondeau’s office after he’d received a request **Redacted**

**Redacted**

**Redacted**

Also, during this meeting, Lyons claimed that Rondeau called [Redacted] a "[Redacted]", and that Livie called [Redacted] a "...[Redacted]". Lyons said that these remarks were made because "[Redacted]". Lyons said that Livie instructed her not to discuss their remarks with [Redacted]."

When asked, Lyons said that during the same meeting, Rondeau said that [Redacted] "When asked whether [Redacted] concern about Rondeau and Livie speaking about her sex life, Lyons confirmed that this happened often. As a supervisor, she was invited to meetings with department ranking officers. During those meetings, whenever [Redacted] name was brought up, Rondeau and Livie would speak of [Redacted] in a derogatory manner. When she was not physically present, there were times when Rondeau's loud voice carried, and she often overheard him speaking of [Redacted] in a derogatory way.

Lyons also said that Rondeau "would bang on the wall [of the restroom] and say the water was cold and deep as he was going to the bathroom." When asked, Lyons said that it was her understanding that when Rondeau was making those remarks, he was saying that "...he has a huge penis; that he's being funny, that he thinks he's hilarious." Lyons said that Rondeau would use the lady's restroom and laugh about it, even when the men's bathroom was not being used. Lyons said that Rondeau would come into the dispatch center and refer to having gone to "headboard heaven with his wife" the night before, meaning that he'd had sex with his wife (a remark that Rondeau acknowledged making when he was subsequently interviewed.)

Lyons said that for the past 6-8 months, Rondeau has been "vindictive" but that for as long as she has known him, he's been insensitive about women and the LGBTQ community. Lyons has been "unfriended" on Rondeau's Facebook account; however, she has seen screenshots of the images provided by [Redacted] after they'd been sent to her. She denies being the source of [Redacted] copies of the screenshots. Lyons characterized Rondeau's behavior on Facebook as embarrassing to the Wolfeboro Police Department.

Additional remarks made by Lyons indicate her belief of the division within the organization. She believes that some members are treated better than others at the expense of others, resulting in animosity within the ranks.

### **Sherri Moore, Executive Administrative Assistant**

Moore was interviewed at the MRI office in Portsmouth, NH; the interview was recorded.

When asked whether she had been present or in earshot of remarks made by Rondeau, she did not recall whether she'd ever heard him refer to [Redacted] as a "[Redacted]" and had never

heard him refer to [Redacted] as otherwise described in [Redacted] letter to the Commission. Moore further denied ever having heard other department staff talking about Rondeau having made such remarks.

When asked, Moore said that she was “friends” with Rondeau on Facebook, but then described that his posts “don’t come up on my feed.” When shown the screenshots provided by [Redacted] Moore denied having ever seen them. She also denied ever having seen any posts that were related to or insensitive to women or the LGBTQ community. She described that the posts she’s seen were weather related, “he loves to talk about the weather.”

Note: Facebook has filters that users can apply to limit what friends see from their page/feed. Though it is not known to MRI, what has been described by Moore about Rondeau’s content not being seen on her page is consistent with the filtering features of Facebook.

When asked about a divide in the department, Moore said that she’s heard Rondeau talk about his concerns but has not witnessed a divide. She has heard officers deny their involvement in a divide. Moore said that Lyons had told her that she’d been accused of pressuring department members to go along with a vote of no confidence in the chief. As a confidential employee, Moore is not a member of the union; she said that members do not talk about things in her presence because she works with the chief. When asked whether there were other instances when she was aware of a divide, she said that Rondeau has made remarks about officers in the department that had made comments to him (Beaulieu and LaRochelle) about the division between members of the union.

Moore was hired by Chief Chase. When asked, she described that there was a difference between employee relations under Chief Chase and employee relations under the administration of Chief Rondeau. Her awareness of a potential conflict was when she was considering taking a transfer from the fire department to the police department. Fire department personnel expressed their disbelief that she would make the move to the PD knowing that Rondeau would be the next chief (after Chase retired).

Moore described being supported, protected, and valued by Rondeau. She said that Rondeau knew that there was a boundary between her and Rondeau; he did not say or do rude things in front of her.

Saying that she “see(s) things through a different lens”, Moore described members of the department telling her about Livie being a “micromanager” and “going after them”. She described seeing Livie insert himself and direct activities of dispatchers and officers when he’s not given employees the opportunity to first do the work. he believes that Livie is insecure in his

position and muddies the water because of that. Moore believes that if Livie was confident, he would allow people to do the intended work. The conflict results in friction between Livie and his subordinate staff.

Moore stated she saw Lyons and Livie have a substantial argument; she left the room because she was uncomfortable with and made afraid by Livie and Lyons screaming at one another. She said that she voiced her concerns resulting in never seeing them behave that way again. However, she also described that Livie and Lyons do not get along to this day but are getting along better now that Rondeau has left the department.

When asked whether she knew how the media had been alerted to Chief Rondeau having been placed on administrative leave, Moore denied having given the media the information nor knowing who had.

### **Dean Rondeau, Former Chief of Police**

Rondeau was interviewed at the MRI office in Portsmouth, NH; his legal counsel, Attorney Paul Monzione was present by phone. The interview was recorded.

Note: Prior to the recording being started, Monzione explained that he was a “litigator” and that he had no experience with internal affairs [this was the first time he’d represented anyone in this capacity] but that he agreed to represent Rondeau due to the possibility of Rondeau bringing non-specific legal action forward.

Rondeau was asked questions about the content of **Redacted** letter, Facebook screenshots provided to MRI by **Redacted**, and information learned from Wolfeboro Police Department employees during this investigation.

When asked whether he had called **Redacted** a “**Redacted**” to Captain Livie or other subordinates, Rondeau stated he didn’t know, but said that it was possible. Rondeau said, “I do use language like that.” When asked whether he had remarked that **Redacted** should **Redacted**, he commented that he’d seen the quote in **Redacted** letter (he has a copy of the letter) but that he did not recall making that remark. When asked if he had said that **Redacted**, Rondeau replied that he’d said something like that but not exactly as quoted in **Redacted** letter.

Rondeau offered context about why the comment was made **Redacted**. He explained that in the November 2022 time frame, he and Lieutenant Maloney were in the dispatch center and had started talking about the NH Attorney General’s guidelines governing the Exculpatory Evidence Schedule (EES, commonly known as the “Laurie List”). He said that the department was trying to comply with the rules by conducting many internal affairs

investigations and that the union was pushing back. As he and Maloney were speaking, they were joined by Detective Emerson (a union member). Rondeau, Maloney, and Emerson went to Rondeau's office for a closed-door conversation intended to be confidential [emphasis added by Rondeau].

Rondeau explained that he finds [Redacted] to be unethical. He explained that it was his understanding that [Redacted] Rondeau wasn't sure of [Redacted] job title). [Redacted]

[Redacted] where [Redacted]  
[Redacted] He cited that at the time of the [Redacted] He said that [Redacted]  
"...[Redacted] was a crime. It was never prosecuted; in fact, the law has been changed but [Redacted] was a crime, right? It was on the books. Twenty years ago, I can only imagine what the law was out in [Redacted]. The point I'm getting at is [Redacted] knew better."

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

With respect to [Redacted] comment in her letter about [Redacted] (he denies having made similar remarks about [Redacted], Rondeau said that the conversation about [Redacted] was made in the same context as the above EES discussion. He explained to Maloney and Emerson that [Redacted]  
[Redacted] Using his military experience to illustrate [Redacted] sexual orientation as it related to ethics, he explained that in the US Army when female officers entered the service as lesbians it was not legal. At the outset of his career, it was a violation of the Uniform Code of Military Justice to be a homosexual in the military. Officers that are now colonels and generals had to lie about being gay when they were first commissioned. At the time "...it was an ethical issue...you couldn't be one and be in the service. So, they lied coming in. It was a question of honesty." Now that the law has changed, the officers can come out of the closet.

When asked questions about the Facebook screenshots provided to MRI by [Redacted] Rondeau admitted that they were from his account. Rondeau said that the posts were "funny" and "hysterical". Rondeau said that he was "entitled to have an opinion" and that he commented about topics of the day on his private Facebook page. When asked, Rondeau said that he understood why people could "probably" take offense to his posts. However, Rondeau exhibited

no understanding of his visibility and overarching leadership role in the community by stating, "...just because I'm chief of police doesn't mean I give up my first amendment rights to kind of poke fun at what's going on. A lot of that stuff is satirical." When asked whether WPD employees that may be LGBTQ might be offended by his posts, Rondeau said that the posts were entertaining for him. "I'm sure that somebody probably could find it offensive." Rondeau said that the posts were intended to poke fun and comment on the "slippery slope we're going down". Rondeau continued by remarking about the physical performance of men versus women and his opinion that men shouldn't be allowed to compete as women due to their biological advantage.

When asked whether he referred to gay men as "fagmire", Rondeau replied that he has in the past. When asked whether he used the ladies' room instead of the men's room at the police department, Rondeau explained that "we all do", a position he maintained when challenged that as Chief of Police, he could have changed that culture. When challenged further, Rondeau refused to answer.

When asked about the remark of him having called out that the water was "deep and cold" when he was urinating, he explained that he was joking around with Shane Emerson and other male officers. When asked whether he thought such a remark may be offensive to female employees who may also overhear him, Rondeau denied it by saying that he knows his staff fairly well.

When asked about whether he commented about women's breasts to his subordinates, Rondeau replied that it was "common" ... "they would also do this." When challenged again about his role as chief, he commented "fair enough."

When asked about whether he referred to having sex with his wife as "headboard heaven" in front of his employees, Rondeau explained that it was a "...common joke. Yes. It's true; it's true." Rondeau explained his perspective: there was a lot of "jocularity" that has been going on for 27 years. "These people do it as well." When challenged about his knowledge and understanding of his leadership role, that he was no longer one of the guys, Rondeau replied that they were a pretty tight team. Rondeau referred to conversations he'd had with Mia Lyons in the past when he said that he didn't want to offend her. Lyons replied to him that he couldn't offend her.

"It sounds like they're picking on every bad thing I've done in twenty-seven years, but they would often join in; they would join in the conversation. In fact, they would get it going, they would instigate it." When asked if he had an obligation to stop the behaviors/remarks, Rondeau replied that it depended on the context. He said that if someone was being mean, then he would have to stop them; but that if they were joking, it wouldn't need to be stopped.

When asked whether the department's harassment policy was the line in the sand and whether the remarks made were over the line, Rondeau replied that context matters. If staff is goofing

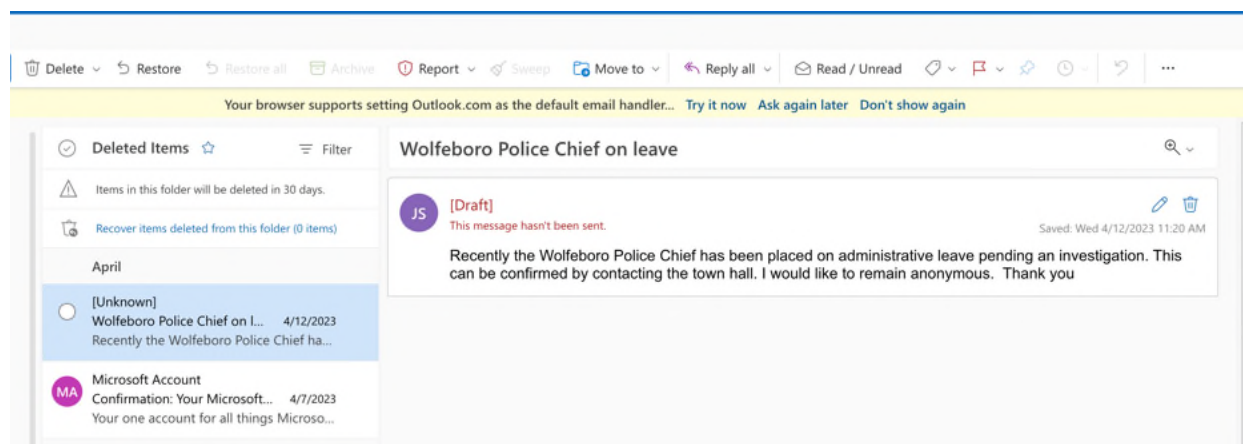


around or relieving stress, the policy didn't apply. When challenged about those that were "silent sufferers", he said that he wouldn't have retaliated if they had complained. The issues had never come up in staff meetings. Rondeau denied using "fagmire" or calling **Redacted** a "**Redacted**" during formal staff meetings.

## **TECHNICAL REVIEW OF COMPUTER RELATED EVIDENCE**

Given username, password, and pseudonym by Lt. Maloney related to the fictitious email account he set up (see Maloney interview summary above), MRI logged into the Outlook e-mail account **Redacted** with a password of **Redacted**.

The Outlook account had an identifier as John Smith, the fictitious name provided to MRI by Maloney. The e-mail account Inbox, Sent folder, and Recycle folder were empty. There was one e-mail in the Draft folder dated April 12, 2023:



MRI accessed the account and was able to examine the devices associated with the account. The account indicated no devices were registered.



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<b>Browsing history</b> Info about the websites you visit with Microsoft Edge helps us personalize your online experiences.	No data ▾
<b>Search history</b> Info from web searches performed on Bing helps us to provide more personalized search results.	No data ▾
<b>App and service activity</b> Data about how you use apps and services helps us make product improvements.	Activities: 2 ▲

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With the limitations of access being denied without government subpoena power that would be available in a criminal investigation, MRI was unable to conduct a comprehensive forensic examination of the technical data that may be available to trace the point of origin of any email that may be associated with the fictitious account established by Lt. Maloney. Because the data had been deleted, the only source of the original electronic data trail would have been Google. Absent a criminal investigation being conducted by a law enforcement agency, the data cannot be retrieved for this internal administrative investigation. The only data able to be retrieved

included an unsent draft (above). No other electronic documents associated with Maloney's fictitious email account have been seen or reviewed by MRI. Absent other contradictory evidence, the draft absolves Maloney of responsibility for the unauthorized release.

## **POLICY REVIEW**

Initiated by **Redacted** complaint to the Police Commission, the scope of the investigation was extended to include additional areas of closely related inquiry. MRI has reviewed town and department policies that give employees guidance for expected conduct related to the matters at hand. Though other policies may also apply, those listed below are most illustrative of organizational expectations related to the subjects of this investigation.

MRI notes that several high-risk policies (reputational and financial risk) were adopted in bulk on December 27, 2019. MRI recommends that the Commission review personnel training records to ascertain whether employees have received documented training upon receipt of the new policies. At a minimum, Commissioners should expect to find documentation that affirms every employee has received, reviewed, has been given an opportunity to ask questions, and understands these organizationally critical policies. For those employed after these policies were adopted, the Commission should find that the new employees have received associated training as part of the onboarding process. As part of the department's risk management program, if not already performed, Wolfeboro police should consider annual documented refresher training for all employees of critical/high-risk written directives.

MRI recognizes that, though policies are critical to organizational success, "best practice" comes into play once the policies are exercised fairly, equitably, and rigorously; simply having policy is not enough to assure Wolfeboro Police Department professional excellence and that risk is managed.

### **Policies Reviewed**

Anti-Harassment Policy	Public Affairs
Bias Based Profiling	Dispatch Communication
Standards	Patrol Duties
General Conduct	Investigations – Preliminary
Rules and Regulations	Investigations Management
Social Media	Detective (job description)
Organization	Computer Use Policy & Agreement
Organizational Chart	

## **FINDINGS**

MRI finds a **multi-year pattern of Rondeau misconduct** pre-dating and including recent behaviors described by the limited context of **Redacted** complaint.

### **1. **Redacted** Complaint, Disturbing Images on Facebook**

Physical and interview evidence supports **Redacted** allegation that **Rondeau has posted inappropriate images on Facebook related to gender and sexuality**. Multiple employees describe having seen Rondeau's posts on social media that were misogynistic and illustrative of Rondeau's strong negative feelings about the LGBTQ community. MRI recommends that, with the assistance of legal counsel, the Police Commission consider whether this finding rises to the level of discriminatory conduct found in NH RSA 106-L:2 (**ATTACHMENT E**) that triggers a duty to report to the New Hampshire Police Standards and Training Council as required by NH RSA 106-L:20 (**ATTACHMENT E**).

Posts on Rondeau's personal Facebook page described and provided by **Redacted** as well as those witnessed by employees **are violations of the Town Anti-Harassment Policy as well as multiple sections of Wolfeboro Police Department SOP #2.0, Rules and Regulations (ATTACHMENT F)**. Specifically, MRI finds that Rondeau violated the following sections of policy:

Prohibited harassment includes, "...offensive...otherwise unwelcome comments or conduct based on sex...sexual orientation, or gender identity." By directly commenting to, or being overheard by, employees while referring to women's breasts; to gay men as "fagmire"; and posting multiple images denigrating the LGBTQ community, and by admitting that his conduct was intended to be joking, whether misguided or deliberate, Rondeau frequently violated this section of policy.

"Employees shall not act in an official or private capacity in a manner that shall bring discredit upon the department or themselves." Examples given by witnesses and also admitted by Rondeau support a finding of multiple violations of this section while on duty, and while posting images on his private Facebook account.

"Employees shall be civil, orderly, and courteous to the public, co-workers, and supervisors and should not use coarse, insensitive, abusive, violent, or profane language." Examples of discourtesy, the coarse, insensitive, abusive, or profane language described by Wolfeboro Police Department employees and admitted by Rondeau as they relate to **Redacted**

and those that rise to the level of sexual harassment (described further below) were numerous.

“Supervisors shall take immediate, appropriate action(s) when the conduct of any employee is contrary to the public interest or the good reputation or proper operation of the department.” As the chief executive of the Wolfeboro Police Department, Rondeau frequently violated this section of policy by failing to act in the public interest and in favor of the department’s reputation.

Similarly, at a minimum, Captain Livie and Lt. Maloney had a policy-driven obligation to manage risk for the town by reporting Rondeau’s misbehavior; they did not.

“Employees shall not refer to any person in a derogatory manner because of their gender, race, color, religion, sexual orientation, social class, position or standing in the community, or political preference.” By referring to gay men as “fagmire”, commenting to subordinates about women’s breasts, and posting multiple images denigrating the LGBTQ community, Rondeau frequently violated this section of policy.

“Employees shall not use their authority to abuse, harass, oppress, or persecute any person.” As Chief of Police, Rondeau had a professional obligation and organizational responsibility to ensure that the Wolfeboro Police Department was free of abuse and harassment. Instead, Rondeau publicly made remarks and posted images that created an atmosphere of hostility toward women and the LGBTQ community.

2. **Redacted** concern that remarks made by Rondeau and Livie about **Redacted**, such as “**Redacted** **Redacted**” were **confirmed by multiple witnesses; Rondeau admitted in part the truth of Redacted complaint.** Multiple employees describe inappropriate remarks made by Rondeau in their presence or within their hearing that were so persistent that his poor behavior became the new normal at the Wolfeboro Police Department; it was “Dean being Dean.” Including Livie, multiple witnesses place Livie with Rondeau when such remarks were made, and to some extent, his participation in the conversations. However, no witness identified Livie as having started the conversations nor contributing inappropriate remarks *in the first instance*.

Remarks made by Rondeau and workplace behaviors exhibited by Rondeau that have been described and provided by **Redacted**, as well as those witnessed by employees **are violations of the Town Anti-Harassment Policy (ATTACHMENT G) as well as multiple sections of**

**Wolfeboro Police Department SOP #2.0, Rules and Regulations. Specifically, MRI finds that Rondeau violated the following sections of policy:**

“Employees shall be civil, orderly and courteous to the public, co-workers, and supervisors and should not use coarse, insensitive, abusive, violent, or profane language.” Examples of discourtesy, the coarse, insensitive, abusive, violent, or profane language described by Wolfeboro Police Department employees and admitted by Rondeau as they relate to **Redacted**, and those that rise to the level of sexual harassment were numerous.

“Supervisors shall take immediate, appropriate action(s) when the conduct of any employee is contrary to the public interest or the good reputation or proper operation of the department.” As the chief executive of the Wolfeboro Police Department, by referring to the **Redacted** as described, Rondeau violated this section of policy by failing to act in the public interest and in favor of the department’s reputation.

Similarly, at a minimum, Captain Livie and Lt. Maloney had a policy driven obligation to manage risk for the town by reporting Rondeau’s misbehavior; they did not.

When Captain Livie and/or Lieutenant Maloney were present for the conversations during which Rondeau made inappropriate remarks or conducted himself inappropriately; or when Livie was notified by a subordinate that Rondeau had made such remarks or exhibited misconduct, Livie and/or Maloney had a duty to report such conduct to the Police Commission. By failing to make a report, **Livie and Maloney violated the Town Anti-Harassment Policy** that requires:

“Employees must report any conduct that violates this policy using the “Reporting Procedure for Discrimination, Harassment, and Retaliation” below (referred to as the “Reporting Procedure”). Do not assume that the Town of Wolfeboro is aware of the problem. Each employee has a responsibility to report harassment. It is only through the active involvement of all employees that the Town of Wolfeboro can prevent and correct harassment in the workplace.”

### **3. Rondeau Complaint, Livie Internal Investigation**

MRI has **found no evidence to support or refute** Rondeau’s belief that “someone...may have lied, co-opted others...or withheld potentially exculpatory information from the County Attorney’s office to sully Captain Livie...” associated with the internal affairs investigation of

Livie by the Carroll County Sheriff's Office. MRI agrees with Lt. Santuccio's conclusion that assumptions were made about the "callout" without all of the information known at the time that the accusations were made. **The absence of complete information was perceived by some as lying when no lie was made about Captain Livie, either for or against.**

Though limited to the allegation that Livie had not called for department assistance to the scene of **Redacted** untimely death, the Carroll County Sheriff's investigation revealed that Livie had requested assistance via a text message sent by the dispatch center. No member of the Wolfeboro Police Department responded to the text request for assistance.

Disturbingly, officers admitted to MRI that they did not respond to the **Redacted** death scene because they do not like nor respect Livie. The excuse that they did not know that the call was critical has no basis in fact. Livie's request for assistance via text to all department members through the WPD dispatch center was explicit that the assistance was needed "...for possible major crimes callout..." and that "...302 [Livie] is only officer on [duty]..."

MRI finds that, at the very least, the spirit and intent of *department rules and regulations were violated by every sworn officer of the Wolfeboro Police Department* when they didn't respond in some form or fashion to Captain Livie's texted request for assistance at the **Redacted** death scene. Sections of the rules and regulations below describe the expectation of the department to put community service first.

"Employees shall promptly, courteously, and effectively assist the public. A citizen's need for assistance takes precedence over any activity, except those of an emergency nature. Routine department business shall not take precedence over providing service to the public. Prompt assistance shall be rendered whether requested in person, by telephone, or by letter. Employees shall provide immediate attention to the needs of any person without referral to any other employee or agency unless this cannot be avoided."

"Employees shall be subject to call to duty any time of the day and shall be prepared to assume duty if ordered by a supervisor."

See below for an additional finding linked to an unhealthy organization.

#### **4. Rondeau Complaint, Employee Harassment and Bullying**

For the purpose of this finding as it applies to Rondeau's specific and narrowly focused allegation, MRI notes for the reader that "harassment" as used in this context is not intended to be a reference to sex-based harassment as defined in the Town's Anti-Harassment Policy.

MRI has found that *events associated* with Rondeau's complaint of harassment or bullying "...officers may have received because of their respective positions..." **did occur but did not rise to the level of harassment or bullying in the workplace.** No witnesses described that they felt harassed or bullied. Instead, they described union discourse as being limited to union members having different views related to the undated, unsigned letter from the NEPBA (employee union) to the Police Commission. Discussions within the union relative to how members were hoped to have voted was described as "lobbying"; **no member interviewed described feeling bullied or harassed.**

## 5. Commission Complaint of Unauthorized Media Release

When asked, Lt. Maloney described having opened an email account using fictitious information with the intent to publicly disclose Rondeau's inappropriate social media posts. Though Maloney denies having used the email account for any reason, he admitted that he provided the account to Sgt. Strauch who denied having been the source of the release. With written permission from Maloney, MRI conducted a technical review of the email account but was unable to access documents retained by Google that are only accessible to law enforcement in support of a criminal investigation. **No substantiated evidence was found to implicate any specific person for having released information to the media without authorization.**

MRI recommends that the Police Commission provide counseling and/or remedial training to Lt. Maloney about his professional leadership obligations to the town and department with respect to his express intent to circumvent the chain of command in this matter as it relates to his fraudulent email account development.

## Organizational Division Uncovered

Though bullying and harassment were not found, while inquiring about Rondeau's concern, MRI found that **there are two distinct divisions within the department that are likely to directly impact, if not already, the ability of the department to effectively deliver services to Wolfeboro:**

Universally, in some form or other, *every* member interviewed (including Livie) described a **substantial disconnect between the command staff (Chief/Captain) and subordinate officers of every rank** and assignment. Communication between Rondeau and subordinate staff has been described as poor. Behaviors exhibited by Rondeau are unprofessional, and a poor reflection on the department. Though some subordinates may not include Rondeau in the disconnect, all subordinates expressed



a lack of confidence in, non-support of, and disrespect of Livie in some form or fashion. Repeatedly, MRI heard from subordinate employees that some of this negativity for Livie is associated at least in part with his having been promoted from Patrol Officer to Captain without first having served as a Sergeant and Lieutenant. Rondeau's poor behaviors and the regional perceptions of Livie's lack of training, skill, and experience are believed to be a significant impediment to staff recruitment and retention. Employees illustrated their belief by describing a department that *had been* a regional destination for qualified police officers; today, it has been asserted (not independently confirmed by MRI) that officers are leaving Wolfeboro PD to accept jobs elsewhere for less money due to poor working conditions linked to leadership and management of the agency.

Employees did not agree with Rondeau that harassment or bullying was occurring. However, there is a **bright line of division between those subordinate officers that voted for a union letter of no confidence in Rondeau and those that did not vote in favor of the letter**. Faith and trust between officers have been eroded. Though officers unilaterally claim that the delivery of services to the community has not been negatively impacted, the workplace atmosphere is toxic. It is difficult to imagine that prolonged toxicity will not impact the community at some point in the future.

It has been described that Rondeau's departure and the passage of time have helped to heal the division. In the interim, however, officers and staff have described organizational strain that has been exacerbated by the fatigue of long overtime hours due to staffing shortages. Officers acknowledge that they are well-supported by the community; national rhetoric to defund and reform police has not been the experience in Wolfeboro.

### **Professional Obligation of Chief Officer**

MRI finds that **Dean Rondeau failed to meet the professional obligation of a chief law enforcement officer** to lead the Wolfeboro Police Department morally and ethically. In a years-long pattern of misconduct, Rondeau blatantly violated department policy. Rondeau repeatedly "joked" in a manner that alienated women and the LGBTQ community. Rondeau's explanation that the department has no gay men or women on staff today, and that "we all do it" when referring to morally and ethically repugnant remarks and behaviors fail to demonstrate any understanding of his obligation to set an example for personal and professional accountability and responsibility for his subordinates. The tone set by Rondeau's poor example has begun to permeate the department. Though subordinate supervisors have been aware of misconduct,



they seemingly feel powerless to do anything about it. The unacceptable result is believed to be as Rondeau described: “they all do it.”

MRI finds that Rondeau’s explanation for his remarks about [Redacted] were made because he believed that [Redacted] was dishonest and unethical [Redacted] [Redacted] Rondeau’s reference to antiquated military rules prohibiting homosexuality and his implied belief that [Redacted] therefore unethical, as an explanation for his remarks about her has no foundation nor credibility.

## **CONCLUSION**

Complaints made by [Redacted] have been substantiated. Witnesses of every rank at the Wolfeboro Police Department describe a long-occurring pattern of misconduct by former chief Dean Rondeau. Rondeau’s misbehaviors have been supported, in part, by subordinate command staff failing to report Rondeau’s misbehavior as required by policy and demanded by professional obligation and duty to the community.

There is ample evidence to suggest that there has been a systemic breakdown of effective leadership of the Wolfeboro Police Department resulting in an unacceptable workplace culture. The intentional process of encouraging others to excellence in the delivery of law enforcement and police services to the community, if not an already-failed effort at the command and middle level of management, is in jeopardy due to the void of formal leadership training, experience, and effective practice.

MRI recommends that the Police Commission conduct, or cause to be conducted, a review of high-risk management and leadership practices at the Wolfeboro Police Department. The resulting recommendations may be used as a road map for course correction.

Respectfully submitted,

Municipal Resources, Inc.

# ATTACHMENT A



**Municipal  
Resources, Inc.**

April 7, 2023

Shawn Coope  
Wolfeboro Police Commissioner

Re: information received this morning

Commissioner,

I appreciate you taking my call today. I have a concern that needs to be addressed. Redacted

As with any organization, a chain of command is necessary and respect for command is imperative for an orderly function. Police Officers and Redacted are entrusted with the safety of our citizens, and we strive to protect and serve all of our people, regardless of gender, sexual orientation, or political perspective. This is enshrined in our Constitution.

I was sent some disturbing images which are apparently screen shots from the Facebook profile of Chief Dean Rondeau. These posts show an insensitivity to women and to people who identify as transgender or LGBTQ+. Redacted we should be mindful of our responsibility to be objective and treat all individuals fairly. I have attached a few of these posts. Redacted

After my receipt of these, I was given additional information, which was of a much more personal nature to me. I was told of multiple conversations that the Chief and the Captain have had with subordinates, denigrating me personally. While they are free to hold their Redacted of me, some speech crosses the line and warrants action.

I was told of a conversation the Chief had with the Captain, which was within earshot of at least one subordinate, where the Chief called me a "Redacted," and mused that I should "Redacted" He further – and falsely – claimed that I "Redacted" used the word "Redacted" to refer to me, and generally complained about my sexual behavior. Other conversations involved Redacted, and speculation about Redacted sexual orientation as well as mine.

For the record, Redacted am appalled that this is the discussion in a squad room in 2023. Redacted It is offensive to me on a personal level, and to women in general. I shudder to think what victims of sexual assault would think if these comments were truly made, Redacted. It would not

bode well for how subordinate females or victims may be treated by a department where these types of comments are alleged to have been openly made.

In terms of investigation, I would be happy to provide an Internal Affairs Investigator with the names of witnesses.

These comments and the Facebook posts should be investigated by an outside agency to see if they rise to the level of exculpatory or actionable behavior. My goal here is to ensure that all victims of crime can be confident that their cases are handled with dignity and respect. Furthermore, I would request that Wolfeboro Police Department consider hiring a Victim Advocate to be a liaison with the officers and to ensure that the victims are treated respectfully.

Thank you for your prompt action and please keep me posted on the progression of this request for resolution.

**Redacted**



Dean Rondeau



Like



Comment



Share

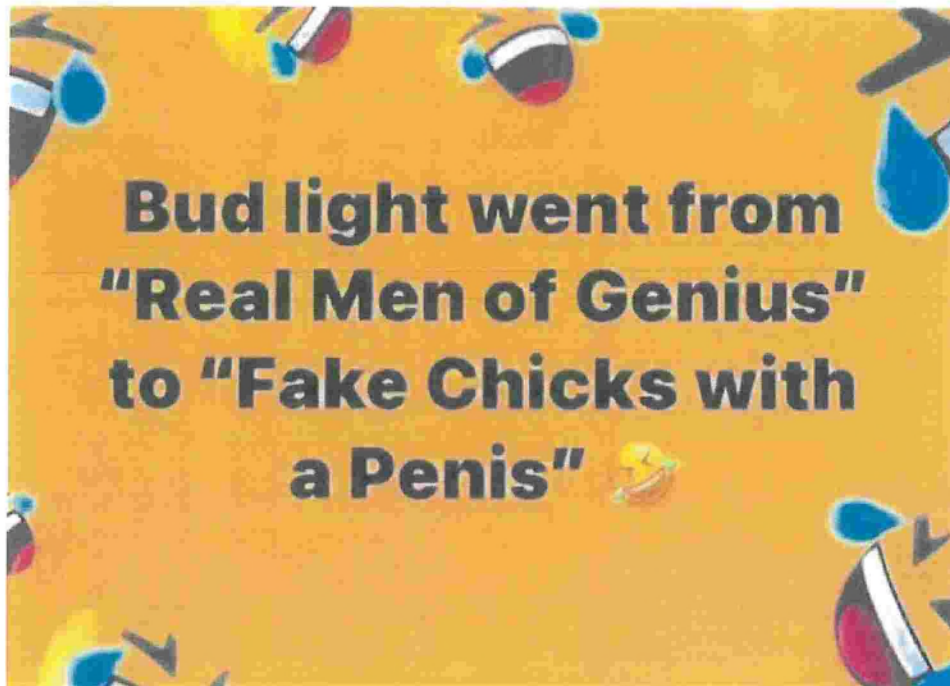


Dean Rondeau

51m ·

**Memes Are Cheaper Than Therapy  
(Twisted Edition).** · [Join](#)

Steven George · 12h ·



Like




Comment



Share





A hand is shown pouring a golden beer from a clear glass can into a clear glass. The beer is captured mid-pour, creating a dynamic splash. In the background, a vibrant rainbow is visible against a dark, cloudy sky. The overall scene is set against a dark, textured background.

Most of us knew  
BUD Light  
wasn't for  
real men  
before they  
put a rainbow

on their cans

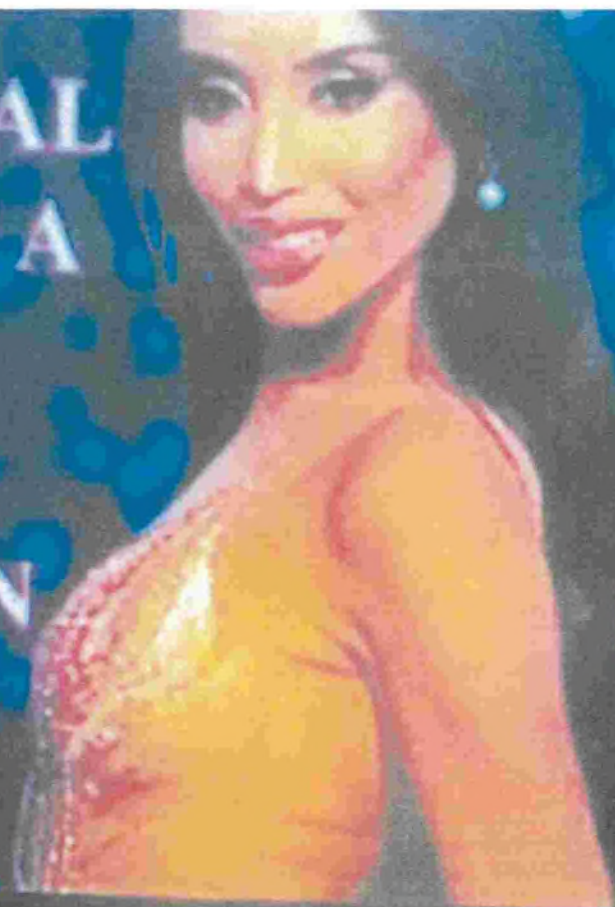


**When you're giving a  
speech at schools in  
2023 starting with  
"hello boys & girls"**

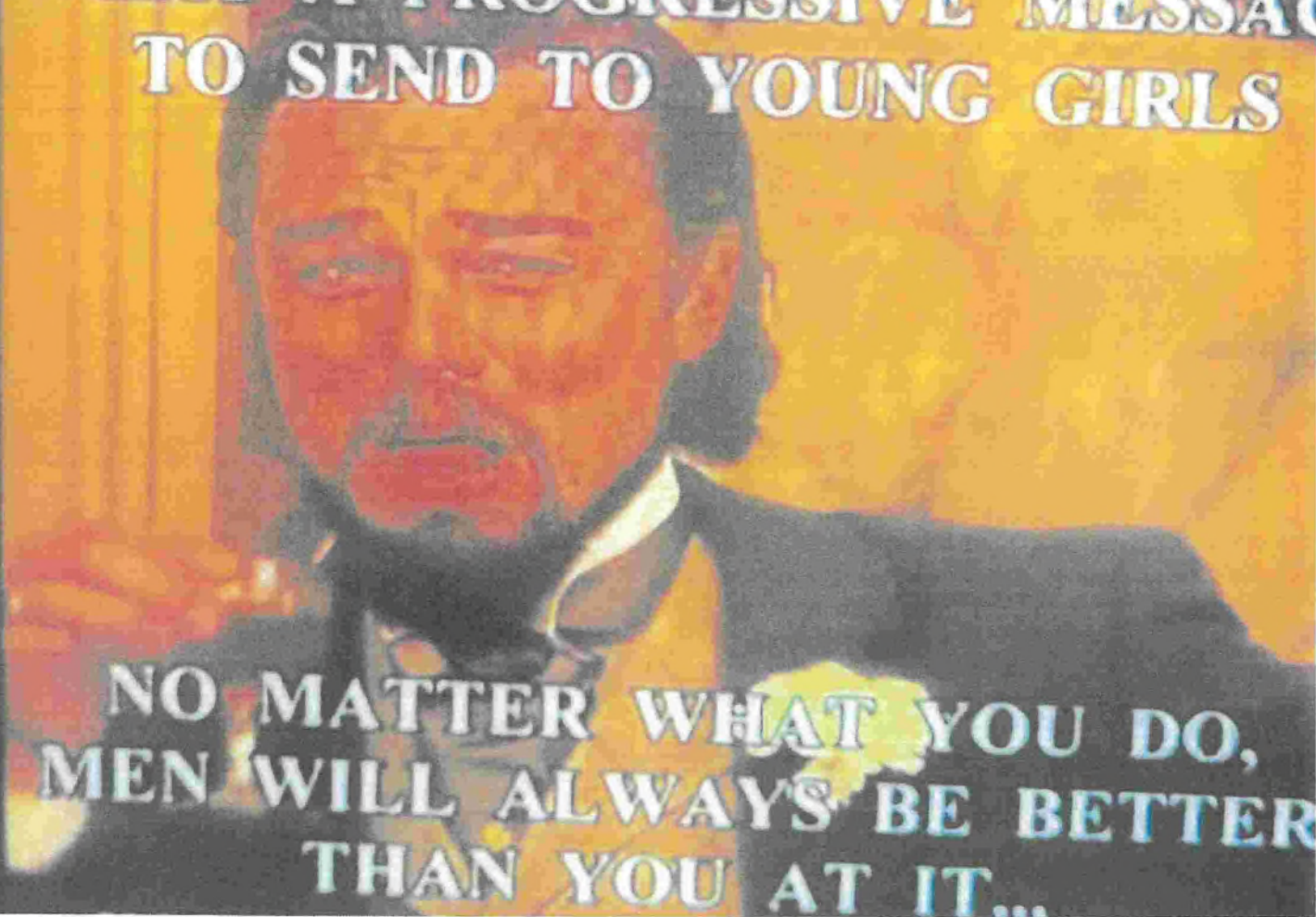




A BIOLOGICAL  
MALE WON A  
WOMAN'S  
BEAUTY  
PAGEANT IN  
NEVADA.



WHAT A PROGRESSIVE MESSAGE  
TO SEND TO YOUNG GIRLS



NO MATTER WHAT YOU DO,  
MEN WILL ALWAYS BE BETTER  
THAN YOU AT IT...



# ATTACHMENT B

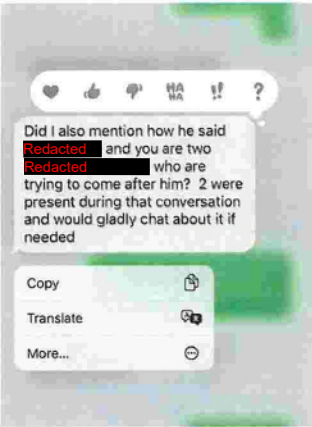


**Municipal  
Resources, Inc.**

From: Redacted  
Sent: Monday, April 17, 2023 5:37 PM  
To: Sean Kelly  
Subject: FB posts and names

It was a pleasure to meet you today. Before I leave, here are the items I promised you.

Witnesses: Officers Emerson, Devine, Strauch, Dispatcher Mia.



7:43



< Dean Rondeau 🔍

1

👍 Like

💬 Comment

➦ Share



Dean Rondeau

51m · 🧑🏿



Memes Are Cheaper Than Therapy  
(Twisted Edition) · [Join](#)

Steven George · 12h · 🌐

😂😂😂😂



1

👍 Like

💬 Comment

➦ Share



Dean Rondeau



1 sha

 Share

I don't think anyone knows; I mean the left does not even know what a woman is? "I mean... Come on man!"



## Scientists At Budweiser Attempt To Discover How Many Beers It Would Take For Dylan Mulvaney To...

1 comment 1 share

 Share

8:03

LTE

Dean Rondeau

8

2 shares

Like

Comment

Share

Dean Rondeau  
14h · 🌐



6

Like

Comment

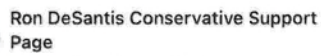
Share

Dean Rondeau  
14h · 🌐



 LTE 

Q

 Share

2 idiots who can't sing.

Page 10



1 sh

 Share

8:09

LTE

Dean Rondeau

Like Comment Share

Dean Rondeau  
Mar 23 · 🌐

Have we gone mad as a Society? Men, dressing as women, and even taking hormone drugs, are competing as women, in women's events-how is this even fair? Why would we as a Society even think this is fair? What gives? I'm having a tough time with this one! Men should not be competing in women's sports- if you want to compete-compete... See more



msn.com  
Transgender cyclist wins NYC women's race days after other rider quits in anger at title loss

Like Comment Share

Dean Rondeau



8:07

LTE



Dean Rondeau



Dean Rondeau

Mar 29 · 🌐

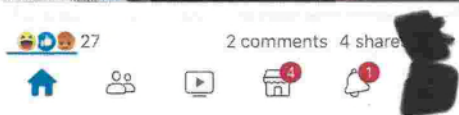
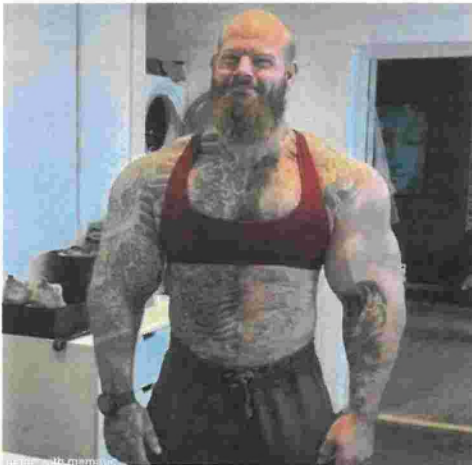
...



Mike Cushman

Mar 28 · 🌐

This is Suzy, she recently won her very first girls high school wrestling competition. She's such a brave and stunning young lady!







7:12

8%

< Guy Maloney  
7:09 PM, Apr 7



5m •

Savage Tacticians

Follow



Like



Comment



Share



Dean Rondeau

5m •



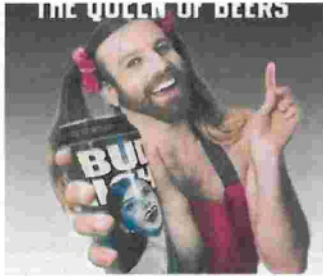
Michael Sugden

4d •

Drop your best Budweiser memes here.. Thanks..

WE IDENTIFY NOW AS  
THE QUEEN OF BEERS





Like



Comment



Share



Dean Rondeau



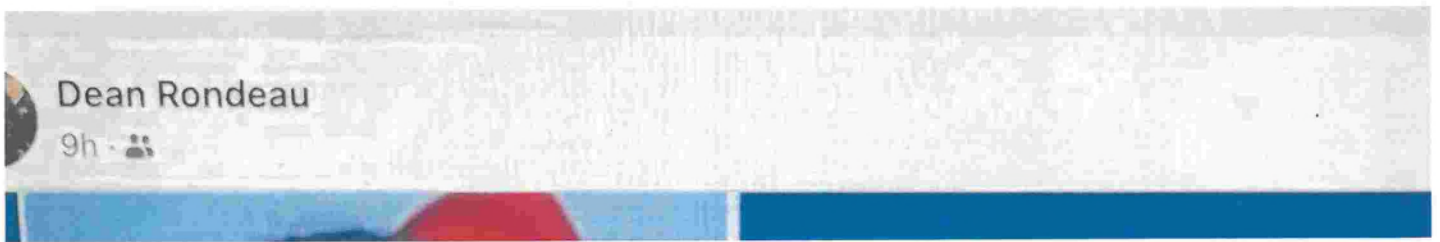
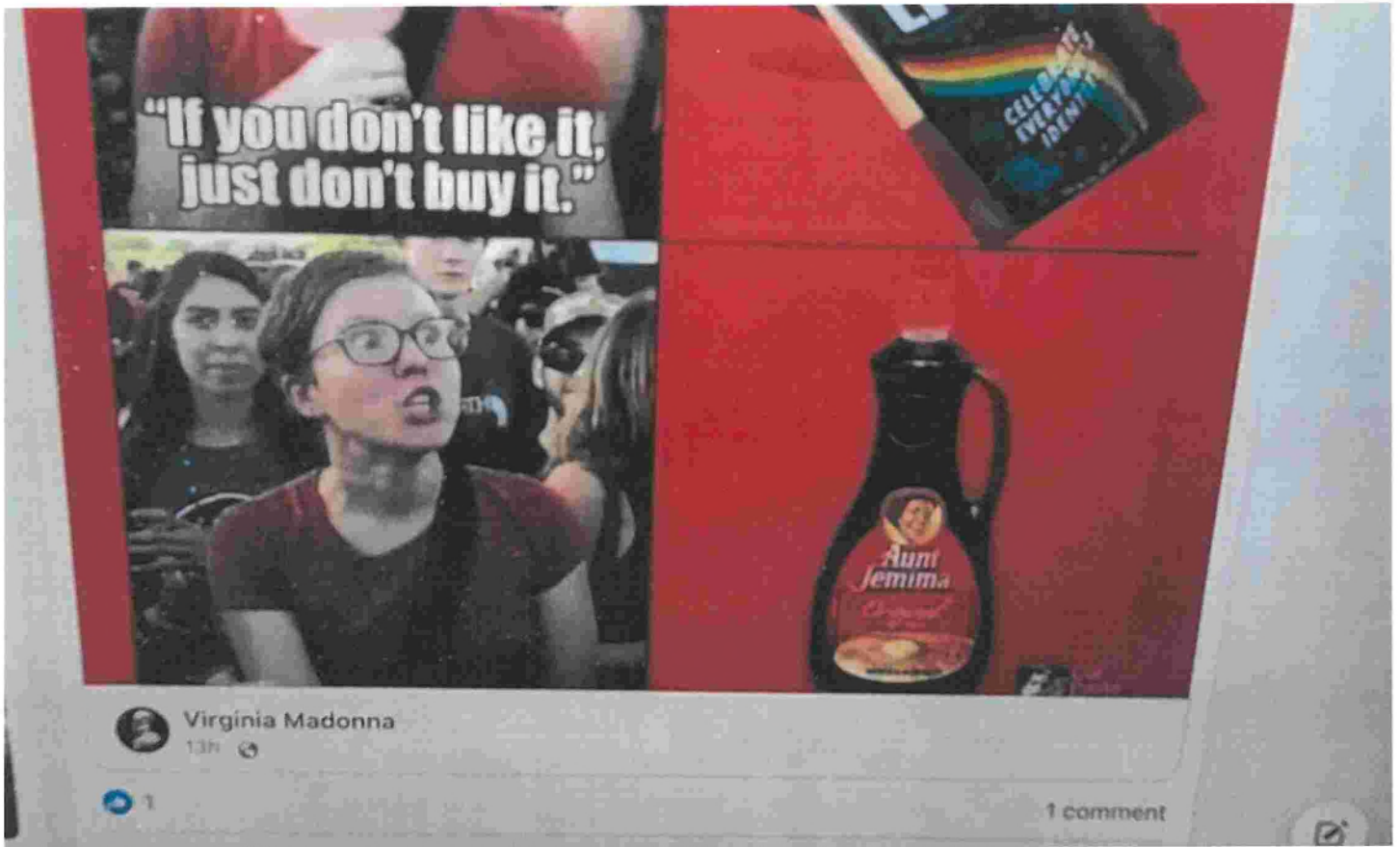
Save



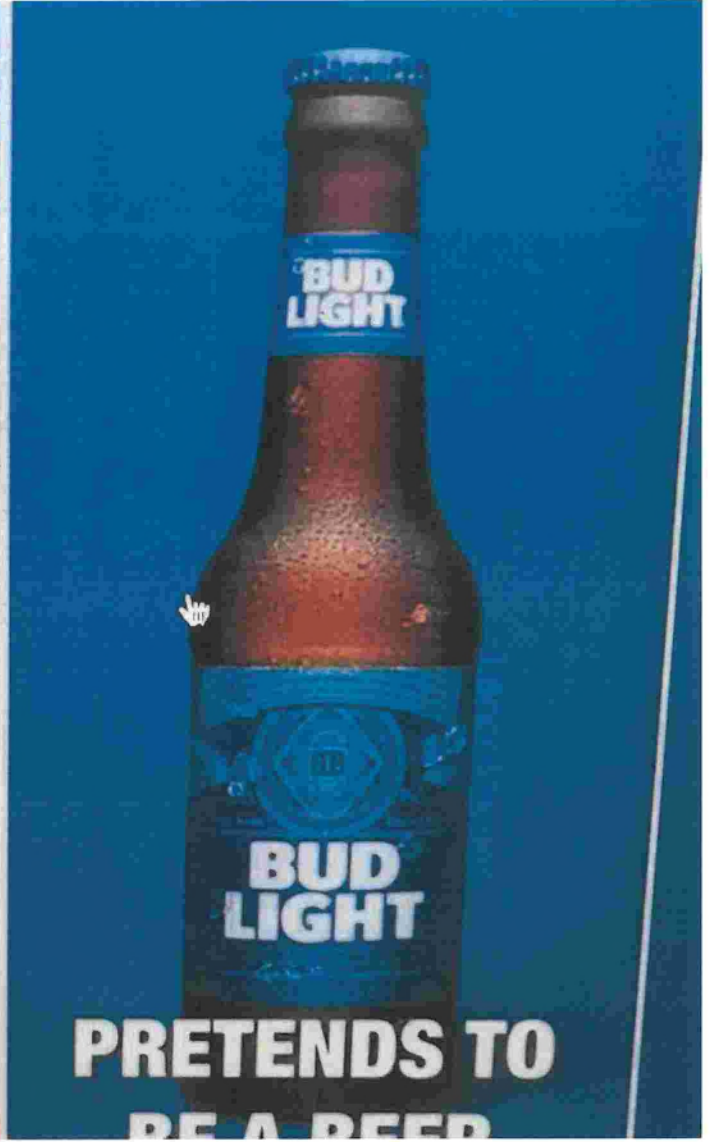
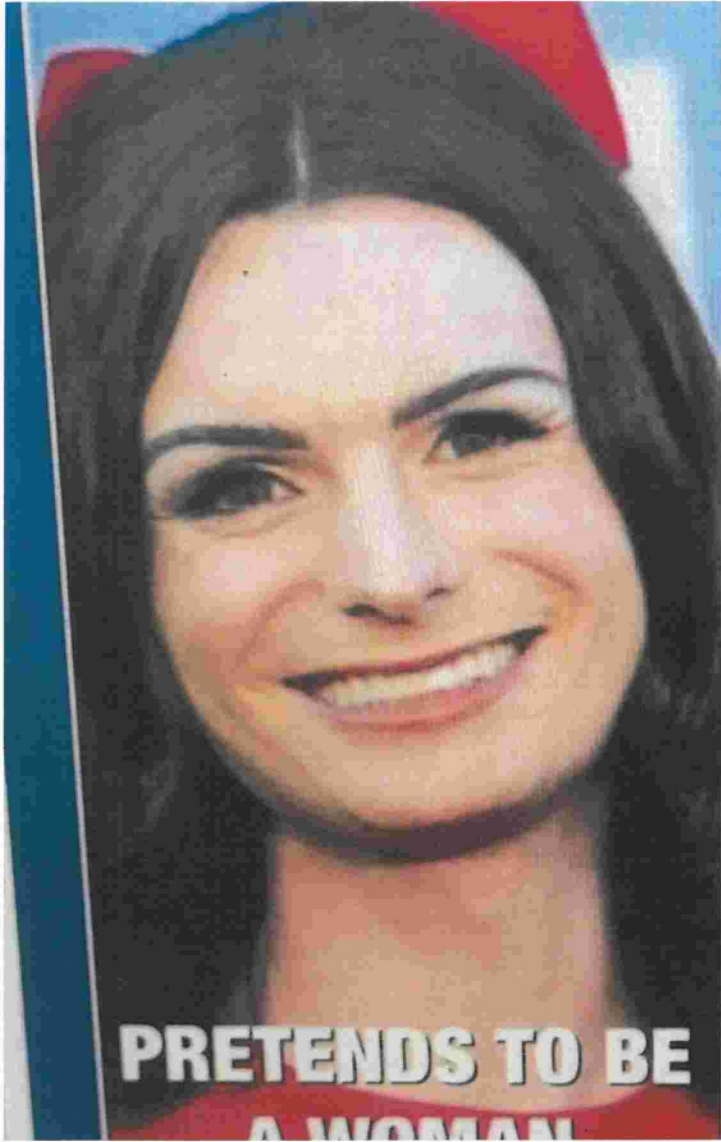
Share













**A WOMAN**

**BE A BEER**



HelenAnn Hulse

April 4 at 4:49 PM · 🌐

Dean Rondeau

2h · 🌐

Meanwhile, at  
Facebook HQ...

**Boys have a penis.**



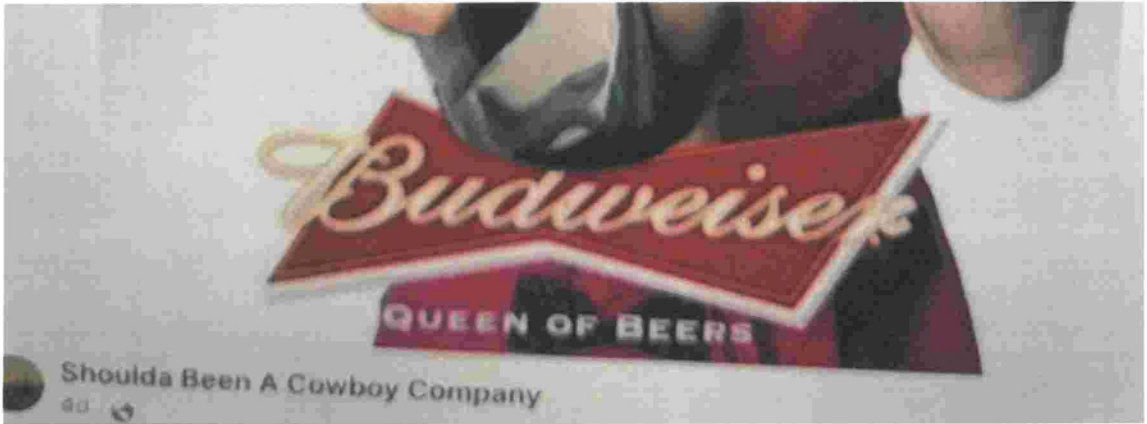


Dean Rondeau

10h

WE IDENTIFY NOW AS  
THE QUEEN OF BEERS





Michaela Andruzzi



# ATTACHMENT C



**Municipal  
Resources, Inc.**

**GARRITY WARNING**  
**ADMINISTRATIVE INTERNAL INVESTIGATION**

This is to inform you that I have been engaged, on behalf of the Town of Wolfeboro to question you regarding **allegations of:**

misconduct associated with a complaint by Redacted to Town of Wolfeboro Police Commissioner Shawn Coope as well as other allegations found in internal affairs directives made by Chief Rondeau prior to this investigation being initiated.

This questioning will concern administrative matters relating to the official business of the Town of Wolfeboro. I am not about to question you for the purpose of instituting a criminal prosecution against you. During the course of this questioning, even if you do disclose information which indicates that you may be guilty of criminal conduct, neither your self-incriminating statements nor the fruits of any self-incriminating statements you make will be used against you in any criminal legal proceedings.

Since this is an administrative investigation and any self-incriminating information you may disclose will not be used against you in a court of law, you are required to answer my questions fully, completely, and truthfully. The questions will relate specifically and narrowly to the matter under investigation. I am informing you that the Town Administrator/Manager/Board of Selectmen through the Town's legal counsel (if applicable) has authorized me, on his behalf and with his authority to ORDER you to answer each and every question put to you. If you refuse to answer my questions or if you attempt to provide false, untrue, or deliberately erroneous information, or attempt to hamper the investigation in any way, this, in itself, is a violation of the rules and regulations of the TOWN OF WOLFEBORO and will result in your dismissal.

☒ (NOT APPLICABLE) You will be allowed union representation during this interview if you so choose. Your union representative may act as your witness but, he/she may not represent you in a legal capacity or as counsel.

Do you understand what I just explained to you? (YES) (NO) am

Do you have any questions concerning what I just explained to you? (YES) (NO) am

List questions and responses, if any.

TIME 1300 DATE 5/8/23 SIGNATURE [Signature]

WITNESS \_\_\_\_\_

Investigator: [Signature] Sean F. Kelly Date \_\_\_\_\_

A copy of this form is to be provided to the Member or Employee involved in an Internal Investigation/Citizen Complaint.



# ATTACHMENT D



**Municipal  
Resources, Inc.**





**CONSENT TO SEARCH COMPUTER EQUIPMENT/ELECTRONIC DATA**

I, Guy Maloney have been informed by Sean Kelly of Municipal Resources Inc. (MRI), of my right to refuse to have a search made of any property owned by me or under my care, custody, or control without a search warrant. Knowing of my lawful right to refuse to consent to such a search, I knowingly, willfully, and intelligently give my permission to employees of MRI, personnel employed by them, including, but not limited to computer forensic examiners, to take possession of, remove, copy (create a mirror image) and to conduct a complete search and/or analysis of the following computer systems, data storage devices, other electronic equipment, email accounts, social media accounts, or other electronic data as applicable to their administrative investigation. With this consent, I authorize any company, vendor, social media platform, or other person/entity maintaining or storing my electronic records associated with this consent to provide copies of such data, images or other electronic format to MRI or its representatives:

EMAIL ADDRESS : **Redacted**

Pin/Password **Redacted** Pattern Lock: Indicate direction with arrows

0	0	0
0	0	0
0	0	0

I further authorize MRI to copy and/or keep any documents, files, data, or material found on the computer equipment described above that they deem to be pertinent to their administrative investigation.

on 5/8/23 I have requested, and MRI has agreed, that the computer equipment described above be returned to me by 5/8/23 (Date), as applicable.

I understand and acknowledge that the computer equipment described above will be completely copied (mirror imaged) before it is returned to me and that MRI will continue to search and examine the copy/mirror image after the original equipment is returned to me, as applicable. I voluntarily consent to this procedure.

I give my consent freely and voluntarily without fear, threat, coercion, or promises of any kind. I understand and acknowledge that I have an absolute right to refuse to give my consent and I hereby voluntarily waive this right. **I understand that, though I have the right to refuse, if I refuse to give consent in this administrative proceeding, my refusal will be used against me in any administrative personnel proceeding and may lead to dismissal.**

I further understand and acknowledge that I may exercise my right, and request that they stop searching at any time during the search and that my request will be honored. **I understand that, though I have the right to withdraw my consent, if I withdraw my consent to search in this administrative proceeding, my withdrawal will be used against me in any administrative personnel proceeding and may lead to dismissal.**

This consent is given by me this day of May 8<sup>th</sup> 20 23, at 1315 AM/PM PM

Name <u>Guy Maloney</u>	Signature <u>[Signature]</u>	Date <u>5/8/23</u>
Witness <u>Sean Kelly</u>	Signature <u>[Signature]</u>	Date <u>5/8/23</u>

# ATTACHMENT E



**Municipal  
Resources, Inc.**

# **TITLE VII**

## **SHERIFFS, CONSTABLES, AND POLICE OFFICERS**

### **CHAPTER 106-I, POLICE STANDARDS AND TRAINING COUNCIL**

#### **Section 106-L:2**

[RSA 106-L:2 effective until January 1, 2023; see also RSA 106-L:2 set out below.]

##### **106-L:2 Definitions. –**

In this chapter:

- I. " Police officer " means any appointed or elected employee of a police department or any appointed employee of a sheriff's department, the fish and game department, the department of safety, or any special agent appointed by the state liquor commission which is administered by the state or any of its political subdivisions and who is responsible for the prevention, detection or prosecution of crime or the enforcement of the penal, traffic, highway, boating, liquor, or bingo and lucky 7 laws of this state or any of its political subdivisions.
- II. " Council " means the police standards and training council.
- III. " Director " means the director of the police standards and training council.
- IV. " State corrections officer " means any sworn classified employee of the New Hampshire department of corrections who is responsible for the physical custody and security of inmates at a state correctional institution and is authorized by law to use force to prevent escapes from such institution.
- V. " State probation-parole officer " means any sworn employee of the New Hampshire department of corrections who is responsible for the supervision of probationers and parolees, who has an assigned caseload, and who has the authority to arrest for violations of the rules of probation or parole.

[RSA 106-L:2 effective January 1, 2023; see also RSA 106-L:2 set out above.]

##### **106-I:2 Definitions. –**

In this chapter:

- I. " Committee " means the law enforcement conduct review committee.
- II. " Council " means the police standards and training council.
- III. " Director " means the director of the police standards and training council.
- IV. " Law enforcement officer " means any individual who is:
  - (a) Employed by a local, municipal, county, or state governmental agency, or public university, in the state of New Hampshire;
  - (b) Certified or certifiable by the police standards and training council; and
  - (c) Responsible for the prevention, detection, or prosecution of crimes and the enforcement of the laws of the state and of its political subdivisions; and at least one of the following:
    - (1) Has full general arrest powers, or
    - (2) Is a certified or certifiable state corrections officer, or
    - (3) Is a certified or certifiable state probation-parole officer.
- V. " Misconduct " means:
  - (a) An officer has been convicted of one or more the following:
    - (1) A crime which constitutes a felony in this or any other state;
    - (2) A misdemeanor for which there was a sentence of incarceration, regardless of whether all or part of the sentence was suspended;



(3) Driving while intoxicated in this or any other state;

(4) A crime of moral turpitude. "Moral turpitude" means an illegal act involving dishonesty, deceit, theft, or willful misrepresentation, or a crime which tends to bring discredit on the police or corrections service. A crime of moral turpitude shall include those crimes listed in POI 402 02(a)(4); or

(b) A sustained finding that the officer has engaged in conduct negatively reflecting on the officer's trustworthiness or credibility, including but not limited to:

(1) A deliberate and material lie during a civil, administrative, or criminal proceeding, in a police report, an internal investigation, or an investigation conducted by the New Hampshire police standards and training council;

(2) A falsification of records or evidence in an investigation or official proceeding; or

(3) A misrepresentation or tampering with official records or reports, tampering with witnesses or falsifying evidence; or

(c) A sustained finding that during the course of the officer's official duties, the officer engaged in discriminatory conduct on the basis of age, sex, sexual orientation, gender identity, race, religious creed, color, marital status, familial status, physical or mental disability, or national origin prohibited by RSA 354-A; or

(d) A sustained finding that the officer engaged in conduct, whether on or off duty, that would adversely reflect on their fitness to perform law enforcement or corrections duties to include engaging in racist conduct or making racist statements; or

(e) A sustained finding that the officer engaged in acts or omissions of conduct which would cause a reasonable person to have doubts about the individual's honesty, fairness, and respect for the rights of others and for the laws of the state or nation; or

(f) A sustained finding that the officer knowingly committed an egregious dereliction of duty resulting in a preventable fatality or serious bodily injury or resulting in the deprivation of constitutional rights or leads to the failure of someone to be prosecuted for a felony; or

(g) A sustained finding that during the course of the officer's official duties, the officer engaged in the use of excessive and illegal force.

VI. "State corrections officer" means any sworn classified employee of the New Hampshire department of corrections who is responsible for the physical custody and security of inmates at a state correctional institution and is authorized by law to use force to prevent escapes from such institution.

VII. "Sustained finding" means a final determination on the merits of an allegation only after the completion of the grievance or legal appeal process, and after the officer has exhausted all appellate rights, unless the grievance or legal process determines that the alleged misconduct was unfounded, not sustained, or that the officer was exonerated.

VIII. "State probation-parole officer" means any sworn employee of the New Hampshire department of corrections who is responsible for the supervision of probationers and parolees, who has an assigned caseload, and who has the authority to arrest for violations of the rules of probation or parole.

IX. "Valid complaint" means a statement in writing made by a person who identifies themselves to the council or any law enforcement agency that alleges a certified law enforcement officer, state corrections officer, or probation parole officer has committed an act or acts of misconduct.

X. "Valid investigation" means an investigation conducted pursuant to a law enforcement agency's established or accepted procedures. An investigation shall not be valid if:

(a) The agency has not adopted an effective internal affairs program;

(b) The agency refuses, without any legitimate basis, to conduct an investigation;

(c) The agency intentionally did not report allegations to the council as required;

(d) The agency attempts to cover up the misconduct or takes an action intended to discourage or intimidate a complainant;

(e) The agency's executive officer is the officer accused of the misconduct; or

(f) The agency's findings or conclusions are clearly not supported by the evidence or contain material errors or omissions of fact or law.

XI. "Administrative suspension" means a temporary and non-disciplinary suspension of the certification of a police officer, corrections officer, or probation-parole officer for regulatory purposes pending an investigation or hearing.

# **TITLE VII**

## **SHERIFFS, CONSTABLES, AND POLICE OFFICERS**

### **CHAPTER 106-L**

#### **POLICE STANDARDS AND TRAINING COUNCIL**

#### **Law Enforcement Conduct Review Committee**

##### **Section 106-L:20**

[RSA 106-L:20 effective January 1, 2023.]

##### **106-L:20 Law Enforcement Agencies; Duty to Report an Allegation of Misconduct. –**

I. The chief executive officer of a law enforcement agency shall report to the committee, through the director or designee, within 15 business days if any of the following occur in regard to a law enforcement officer of the agency:

(a) The agency has received a valid complaint of misconduct, and:

(1) That the agency is conducting, or has conducted a valid internal investigation of the allegation as defined in this chapter and in accord with their internal affairs policy;

(2) That the agency has an outside law enforcement agency conducting or has conducted a valid internal investigation into the matter as defined in this chapter; or

(3) That the agency is requesting a valid internal investigation be conducted into the matter by investigators designated by the director or the committee.

(b) The results of a valid internal investigation has resulted in a sustained finding of misconduct; or

(c) That an officer resigned from the agency while under investigation for misconduct.

II. As part of the report, the executive officer of the agency shall provide a copy of any all relevant documents associated with the valid investigation, including the agency's investigative report, and any findings and decisions. Such documents shall not be subject to RSA 91-A, except as provided in this chapter.

III. The committee shall review the report to determine if the local agency has conducted a valid investigation. If the committee determines that there is not a valid internal affairs program at the local agency, the committee may recommend a separate investigation be conducted by police standards and training investigators.

**Source.** 2022, 312:10, eff. Jan. 1, 2023.



# ATTACHMENT F



**Municipal  
Resources, Inc.**

# WOLFEBORO POLICE DEPARTMENT

## SOP 2.0

**Date Issued: 12/27/2019**

**Review: 02/24/2021**

[Note: This written directive is for the internal governance of the Wolfeboro Police Department and, as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.]

**By Order of:**  
**Dean J. Rondeau, Chief of Police**

### RULES AND REGULATIONS

#### **Policy**

The Wolfeboro Police Department shall develop rules and a general code of conduct to regulate employee's behavior that shall reflect the highest standards of professionalism in law enforcement. All employees shall comply with established work rules and the general code of conduct. All violations of established work rules shall be investigated fairly, uniformly, and equitably.

---

#### **Purpose**

To establish a set of work rules and general code of conduct for all employees of the Wolfeboro Police Department.

---

#### **Responsibilities**

All supervisors are responsible for ensuring that all employees comply with this directive and for reporting and investigating violations in accordance with Disciplinary Process.

All employees are responsible for complying with this directive.

The Captain/Executive Officer is responsible for investigating violations of this directive.

Employees of the Wolfeboro Police Department shall observe and abide by the following work rules that pertain to on duty and off duty situations:

**SOP 2.0**  
**RULES AND REGULATIONS**

Employees shall respect and appropriate for the disciplines and actions by the Wolfeboro Police Department.

Being considerate of the rights, feelings, and interests of all persons;

It cannot be expected that any set of regulations will cover all situations or taking action which is a situation to provide the necessary and appropriate, sented and insured the proper officiate the only available guide appropriate;

Respecting the regulations of discipline and when the appropriate and required is officers, civil possible liability in any case, or if they are in the state of construed and the credit of the employee of standards of safety or case required in ordinary sense, with respect to third party claims. Violations of these directives, if proven performing official basis in a complaint by the dignified, in a part and in reasonable administrative setting.

**Cooperation**

Employees shall cooperate with other employees and with the employees of other public agencies as necessary toward the accomplishment of professional responsibilities.

**Truthfulness**

Employees shall be truthful in their written and spoken words at all times.

**Conduct**

Employees shall not act in an official or private capacity in a manner that shall bring discredit upon the department or themselves.

**Obey the law**

Employees shall uphold the Constitutions of the United States and the State of New Hampshire, obey all applicable federal, state, and local laws, and comply with all applicable court decisions and orders of the courts.

**Criticism**

Employees shall not publicly criticize any employee or any order, action, or policy of the department except as officially required. Criticism, when required, shall be directed only through official department channels, to correct any deficiency, and shall not be used to the disadvantage of the reputation or operation of the department or any employees.

### **Suspended Employees**

An employee suspended without pay must relinquish their issued firearm, badge, and all identification cards, or any other department equipment to the Administrative Sergeant, as soon as the suspension becomes effective. These items may be stored in the supply area. Upon relinquishing their issued equipment, the employee will be given a copy of their property receipt form.

### **Employees shall not solicit**

Employees shall not solicit any gift, gratuity, loan, or fee where there is any direct or indirect connection between the solicitation and their employment with the department.

### **Acceptance of Gifts, Gratuities, Fees, Loans, Etc.**

1. Employees shall not accept, either directly or indirectly, any gift, gratuity, loan, fee, or any other thing of value arising from or offered them because of their employment with the department without the written or verbal permission of the Chief of Police.
2. Employees shall not accept, either directly or indirectly, any gift, gratuity, loan, fee, or other thing of value that might tend to influence their actions or that of any other employee in any matter of department business.
3. Employees shall not accept, either directly or indirectly, any gift, gratuity, loan, fee, or any other thing of value, which might tend to cast an adverse reflection on the department or any employee thereof.

### **Reward**

Employees shall not accept any reward, of any kind, from any persons, without the prior written or verbal permission of the Chief of Police.

### **Bribery**

Employees shall not accept any money, gratuity, loan, fee, gift of any kind, or any other thing of value, from any person if the purpose is intended to influence the employee in the performance of their official duties.

### **Transactions with involved persons**

Employees shall not engage in any transaction with any complainant, suspect, defendant, prisoner, or other person involved in a department matter whereby the successful prosecution of that matter or an employee's personal integrity may be jeopardized.

**Using position for personal gain**

Employees shall not use their official position, identification, or employment with the department for financial gain.

**Confidentiality of Department Business**

Employees shall treat as confidential the business, activities, files and reports of the department. They must not impart knowledge of the above except to those who have a "right to know." Employees shall also comply with any nondisclosure agreement(s) in which they have entered.

**Right to Know**

Employees who are unable to determine an individual's or organizations "right to know," shall refer the matter to a supervisor.

**Personal Debt**

Employees shall not contract a debt under false or fraudulent pretenses. Employees shall not refuse to discharge their lawful obligations without reasonable cause.

**Provide Telephone Number**

Employees shall maintain telephone service and provide the department and their immediate supervisor with that number. Any change of telephone number shall be immediately reported in writing. Telephone numbers shall be kept confidential.

**Report of Change of Address**

Employee shall keep the department and their immediate supervisor informed of their current place of residence. Any change of address shall be immediately reported in writing. Addresses shall be kept confidential.

**Threat or violence to an employee**

Employees shall not threaten, strike, or attempt to strike any other employee or threaten any violence against another employee.

**Personal Business**

Employees shall not use any property, equipment, or facilities purchased, leased, or owned by the department or the Town to conduct personal business without authorization from the Chief of Police.



### **General Conduct on Duty**

Employees of the department shall observe and abide by the following work rules while on duty or representing the Department.

### **Public Service**

Employees shall promptly, courteously, and effectively assist the public. A citizen's need for assistance takes precedence over any activity, except those of an emergency nature. Routine department business shall not take precedence over providing service to the public. Prompt assistance shall be rendered whether requested in person, by telephone, or by letter. Employees shall provide immediate attention to the needs of any person without referral to any other employee or agency unless this cannot be avoided.

### **Courtesy**

1. Employees shall be civil, orderly and courteous to the public, co-workers, and supervisors and should not use coarse, insensitive, abusive, violent, or profane language.
2. When in public, in an on-duty capacity or official capacity, employees shall be referred to by their appropriate rank, position, and/or title.

### **Responsibilities of Supervisor**

1. Supervisory employees shall enforce the rules and regulations of the department and shall ensure the proper conformity to department policies and procedures.
2. Supervisors shall take immediate, appropriate action(s) when the conduct of any employee is contrary to the public interest or the good reputation or proper operation of the department.
3. Supervisors shall issue orders to employees in a clear, articulate, understandable, and professional manner.
4. Supervisors are prohibited from issuing any order which is in violation of any law or department rule, regulation, directive, or procedure.

### **Obedience to Unlawful or Improper Orders**

1. Employees are not required to obey an order that is improper or contrary to federal, state, or local laws or department rules, directives, or procedures.

**SOP 2.0**  
**RULES AND REGULATIONS**

Obedience to an unlawful or improper order is never a defense for unlawful or improper action.

2. The responsibility for refusal to obey an order rests with the refusing employee who shall be required to justify his/her actions.

**Improper Orders**

Employees who receive an improper or unlawful order shall, at the first opportunity, report the facts of the incident and the action taken in writing to the Chief of Police through the chain of command.

**Conflicting Orders**

1. Upon receipt of an order conflicting with any previous order, instruction, or directive, the employee affected shall, when practicable, advise the person issuing the second order of this fact in writing.
2. Responsibility for countermanding the original instruction rests with the individual issuing the second order.
3. If so, directed by a supervisor, the latter command shall be obeyed, unless that command is unlawful or improper.

**Obeying Supervisory Personnel**

Employees shall promptly obey all proper and lawful orders of supervisors and other employees assigned to act in a supervisory capacity, including any order relayed from a superior by an employee of the same or lesser rank.

**Chain of Command**

Employees shall conduct all official business through the chain of command. While lateral communication is encouraged, employees shall inform immediate supervisors of significant matters and parties involved in such lateral communications.

**Forwarding Written Communication**

Employees who receive a written communication from another employee directed to a higher authority shall initial and promptly forward it through the chain of command, indicating approval or disapproval, and shall make such explanatory comments as the matter requires to fully inform the higher authority.

**SOP 2.0**  
**RULES AND REGULATIONS**

**Discrimination**

Employees shall not allow any of their actions or decisions to be affected by prejudice of gender, race, color, religion, sexual orientation, social class, position or standing in the community, or political belief.

**Discriminatory References**

Employees shall not refer to any person in a derogatory manner because of their gender, race, color, religion, sexual orientation, social class, position or standing in the community, or political preference.

**Intoxicants, Stimulants, or Depressants**

1. Employees shall not consume intoxicants or illegal substances while on duty nor shall they consume intoxicants or legal or illegal substances to the extent that performance is impaired.
2. The smell of intoxicants on the breath or any impaired performance resulting from the use of intoxicants or legal or illegal substances by an employee reporting for duty or on duty is grounds for disciplinary action. The employee shall be immediately relieved from duty.
3. Intoxicants or illegal substances shall not be consumed in any department facility or vehicle.

**Physical Fitness for Duty**

Employees shall maintain such physical condition that they can fulfill the duties of their assignments.

**Minimum Physical requirements**

Employees must be physically able to operate a variety of job-related machines and equipment. Employees must be able to use body members to work, move or carry related objects or materials. Employees must be able to exert up to one hundred pounds of force occasionally, and/or up to fifty pounds force frequently. The physical demand requirements are at levels of those for active work. Employees must be able to lift and/or carry weights of fifty to one hundred pounds.

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**Sleeping on Duty**

1. Employees shall not sleep or doze during the time they are on duty and are responsible for reporting to work physically able to appropriately complete the tour of duty.
2. Employees unable to remain awake or complete the tour of duty shall report to their supervisor who shall take appropriate action.

**Malingering or Pretending**

Employees shall not attempt to avoid their duties by feigning illness or by giving a false impression that they are performing their duties.

**Punctuality**

Employees shall be punctual when reporting for duty or reporting or performing any official act.

**Absence from Duty**

Employees shall not absent themselves from their assignment without permission from a supervisor or until properly relieved.

**Keeping Up to Date**

Employee reporting for duty shall acquaint themselves with events that have taken place since the end of their last tour of duty that pertain to their responsibilities or assignment.

**Submitting Reports**

Employees shall submit all reports which are required of them as promptly, correctly and completely as possible.

**Identification Cards**

1. While on duty and not in uniform, outside department's facilities, employees shall have the department issued photo identification card readily available on their person. Employees working undercover assignments are exempt from this requirement.
2. While on duty and in uniform, other than the sole exceptions of a rain slicker or a traffic direction vest, employees shall at all times wear a conspicuously visible nametag.

### **Giving Identification**

Employees who are in uniform, who have displayed a badge or have otherwise identified themselves as sworn employees, shall identify themselves by name and badge number upon request while on duty or performing their official duties.

### **Senior Employee in Charge**

When two or more employees of equal rank are simultaneously engaged in the same operation, the employee with longest service in rank shall be in charge, except when otherwise designated by a supervisor.

### **Private Business**

Employees shall not conduct private business while on duty. Lunch periods are exempt.

### **Peddling and Soliciting Prohibited**

Employees shall not peddle or solicit in department facilities or on department property unless authorized by the Chief of Police.

### **Loitering by Public**

Employees shall not permit persons to loiter on departmental premises or in a department facility or vehicle, unless they are conducting official business.

### **Department Correspondence**

Employees shall not use department stationery, postage, duplicating machines, typing support, or other equipment, except for official department correspondence.

### **Recovered Property**

Employees shall be responsible for all property coming into their possession. Employees shall handle all property in accordance with department policy and procedure.

### **General Appearance**

1. Employees shall be neat, clean, and well-groomed while on duty. Dress shall be appropriate given the position and/or function of the employee and reflect standards that depict public service employees in the best possible image.



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2. Employees shall not wear articles of clothing or ornamentation while on duty if the wearing, or the article itself, symbolizes or represents an organization or philosophy which supports discrimination in any form or any other abridgement of human rights.

**Conformance to Directives**

Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department.

**Abuse of Leave**

Employees shall not misuse or abuse the leave policies, procedures, practices, or records of the department.

**Call out**

Employee shall give four hours of notice before calling out sick. In some cases, it's avoidable, despite the best efforts of the employee.

If no employee is available to cover the shift. The officer prior and after the shift will be ordered on overtime to cover the shift.

**Vacation time**

Employees will give the scheduling supervisor a minimum of two weeks' notice prior to their requested vacation. Any request within the two weeks can be denied without explanation.

**Personality Clashes**

Employees who have personality problems involving another employee, which cannot be resolved amicably, may consult with any of the following: His/her immediate supervisor; Captain and/or Chief of Police.

**Unsatisfactory Performance**

1. Employees shall maintain sufficient competency to perform their duties and assume the responsibilities of their position. Employees shall perform their duties in a manner which shall establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the department.
2. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of the laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards

established for the employee's rank, grade, or position; the failure to take appropriate action on the occasion of a situation or incident deserving a public safety employee's attention; absence without leave; or unexcused absence from a duty assignment during a tour of duty.

3. In addition to other indications of unsatisfactory performance, repeated poor evaluations and/or repeated infractions of department directives shall be considered prima facie evidence of unsatisfactory performance of duty:

### **Outside Employment**

Employees shall not engage in any employment outside the department without the prior written permission of the Chief of Police.

### **Understanding Directives**

Employees who do not understand an official department directive or procedure shall seek the advice of their supervisor.

### **Call to Duty**

Employees shall be subject to call to duty anytime of the day and shall be prepared to assume duty if ordered by a supervisor.

### **Available for Service**

Employees shall keep themselves available for service at all times while on duty unless they are on specific assignment.

### **Radio to Remain**

Employees who have been assigned a radio for communicating purposes shall ensure that the radio is fully operational, powered, audible, and tuned to the appropriate frequency at all times while on duty unless otherwise authorized by a supervisor or necessary for the safety of the employee.

### **Interfering with Radio Communication**

Employees shall not willfully, intentionally, or otherwise interfere with radio communication except in exigent circumstances.

### **Emergency Situations**

Employees shall perform in all emergency situations in accordance with established department procedures and shall perform during training drills in the

same manner. Emergency situations may include, but are not limited to terrorist activities or attacks, bomb threats or explosions, acts of civil unrest, fires, etc.

#### **Mutual Protection/Assistance**

Employees shall assist and/or protect any other employee immediately upon observing or hearing that said employee needs or requests assistance.

#### **Off-Duty Situations**

Employees shall take appropriate and necessary action when off duty in any situation where human life is endangered. Employees shall turn the situation over to on-duty public safety employees as soon as possible.

#### **Fear**

Employees shall not shrink from danger or fail to discharge their official duties.

#### **Abuse of Authority**

Employees shall not use their authority to abuse, harass, oppress, or persecute any person.

#### **Unnecessary Force**

1. Employees are expressly prohibited from the unnecessary or unreasonable use of force against any person or property.
2. Reporting required when force used; Employees who use force against any person or the property of any person shall make a report of the incident and report it to their supervisor as soon as practicable.

#### **Off-Duty Employee in Uniform in Public**

Employees appearing in public in uniform shall be considered on duty and must be prepared to assist the public by taking whatever public safety action is appropriate and necessary.

#### **Situations Involving Off-Duty Employees**

Employees confronted with a situation requiring public safety intervention or action in which an off-duty employee is involved shall not intervene, except to meet an emergency that exists. As soon as possible, the employee shall notify communications and request that a supervisor respond to the scene.

### **Civil Actions**

Employees shall not render any aid or assistance, in an official capacity, to either party in a civil dispute, except when ordered to do so by the court. This shall not prohibit an employee from advising a person that a matter is civil and referring that person to the proper agency for service.

### **Divorce Actions**

Employees shall not render any aid or assistance to either party in any divorce case or any case leading up to a divorce action, except where an emergency exists or a criminal act (or potential criminal act) has been committed and requires public safety action.

### **Situations Involving Family or Friends**

Employees who are confronted with a situation where public safety action is required involving family members or friends shall not intervene unless an emergency exists and then only to meet that emergency until the department can be notified and another officer arrives.

### **Outside Affiliation**

Employees shall not affiliate with, or become or remain a member of, any organization if such affiliation would in any way interfere with or prevent them from performing their duties as employees of the department.

### **Conflicts of Interests**

Employees shall not invest or hold investments, directly or indirectly, in any financial, business, commercial, or other private transaction which creates, or gives the appearance of creating, a conflict with their official duties.

### **Fraternizing with Person(s) of Questionable Character**

1. Employees shall not fraternize or associate in a personal, social, or financial relationship with any person(s) of questionable character except in the performance of their official duties and with the knowledge and consent of their supervisor.
2. Employees shall not idle, loiter, or spend unnecessary time in or around a place of ill-repute or a place of questionable reputation except in the performance of their official duties and with the knowledge and consent of their supervisor.

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**Access to Places of Business**

Employees shall not have a key, access card, or code to any place of business on their assigned beat or relating to their assignment without the permission of their supervisor or Chief of Police.

**Contraband**

Employees shall not be negligent in the control of contraband.

**Security Matters**

Employees shall not discuss security matters or issues with other persons in the presence of inmates, prisoners, or defendants.

**Conduct and Appearance in Court**

Employees appearing in court shall:

1. Be punctual and prepared as appropriate;
2. Conform to the court's rules of conduct;
3. Obey all orders of the court;
4. Dress appropriately according to the court's standards;
5. Be truthful at all times;
6. Attend court as scheduled and/or when subpoenaed.

**Subpoenaed as Defense Witness**

Employees subpoenaed as a defense witness in a criminal or civil case shall immediately notify, in writing, their immediate supervisor. Employees do not need permission from a supervisor or the department to attend court as a defense witness and must comply with the requirements of the subpoena.

**Arrest of or Court Actions Involving an Employee**

Employees who have been arrested or become involved in any court action, in any capacity other than as a witness for the prosecution, shall immediately notify the Chief of Police in writing through the chain of command.

**Responsibility for and Examination of Town Property**

1. Employees shall be responsible for the condition and the prompt reporting of loss, damage, or defect of all department or town property placed in their custody or use.



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2. Before use, employees shall examine any town vehicle or property assigned to them, report unrecorded damage or operational defects to their supervisor, and submit the necessary written reports.
3. If property is lost, stolen, or damaged, a detailed report shall be made immediately. The immediate supervisor of the employee shall review the report and submit an investigative report through the chain of command to the Captain/Executive Officer.

**Operator to be Qualified and Authorized**

Employees shall not operate a city vehicle or vehicles used for law enforcement purposes unless they are qualified and authorized to do so and possess a valid State of New Hampshire driver's license.

**Use of Town Vehicles or Vehicles used for law enforcement purposes**

1. Employees shall use a town vehicle or vehicles used for law enforcement purposes only in the course of official business.
2. Employees shall not operate personally owned vehicles as a vehicle used for law enforcement purposes, not to include using their vehicle to commute to and from their assignment and work place without consent from the Chief of Police.

**Operation of Town Vehicles or Vehicles used for law enforcement purposes**

1. Wolfeboro Police Department personnel shall operate all town vehicles and vehicles used for law enforcement purposes in such a manner as to avoid injury to persons or damage to property at all times.
2. Wolfeboro Police Department personnel shall park all town vehicles and vehicles used for law enforcement purposes in such a manner as to cause the least interference with traffic flow without compromising their safety.

**Vehicle Appearance**

Employees assigned to operate town vehicles or vehicles used for law enforcement purposes are responsible for ensuring their cleanliness.

**Safe Driving Techniques**

Wolfeboro Police Department personnel shall exercise due caution and exhibit good driving habits when operating all city vehicles and vehicles used for law enforcement purposes.

### **Personal use of property**

Employees shall not convert to their own use, or have any claim on, any found or recovered property, property held as evidence, or property purchased, leased, or owned by the department or the Town.

### **Public Activities**

Employees of the department shall observe and abide by the following work rules while on duty or representing the department as it concerns public activities that relate to their employment with the department.

### **Endorsements and Testimonials**

Employees shall not permit their names, photographs, or identities as employees of the department to be used to endorse any product or service without the prior written permission of the Chief of Police.

### **Authoring Books, Pamphlets, or Articles**

Any written material for publication or distribution outside the department (except personal correspondence) which draws on the writer's experience as an employee of the department or identifies the writer as an employee thereof, must be submitted to the Chief of Police for approval, prior to submission for publication, for determination of the correctness of any references to department operations or policy and the appropriateness of making public any information which might be prejudicial to the lawful interest or privacy of any person.

### **Improper Organizations**

Employees shall not join, or in any way participate with, any organization which advocates the violation of any of the laws, statutes, or ordinances of federal, state, or local governments, unless authorized by the Chief of Police or his or her designee.

### **Soliciting Advertising**

Employees shall not solicit advertising, which is to appear in any commercial publication, nor lend their support in any manner to such solicitation, which would identify themselves with the department.

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**Firearms**

Employees of the department shall observe and abide by the following work rules while on duty or representing the department as it concerns firearms and other weapons and equipment.

**Approved Type**

While on duty or performing official duties, employees shall only carry firearms and weapons that have been issued and/or approved by the department.

**Issuance**

The department shall issue employees firearms and other weapons. The firearm issued shall remain with the employee throughout their period of employment and shall be surrendered upon their separation from the department.

**Personal Weapons**

Employees may carry personally-owned or other issued firearms that have been approved by the department while on duty or performing official duties.

**Ammunition**

Employees shall only carry and/or use ammunition issued and/or approved by the department. Ammunition issued and/or approved by the department for training purposes shall only be carried and/or used for training purposes while participating in training activities.

Qualifying; Employees shall qualify with all firearm(s) they carry on duty on an annual basis as determined by the Chief of Police.

**Carrying of Firearms**

Employees shall be armed with a fully loaded and approved firearm whenever on duty, in uniform, performing official duties, or when traveling to and from their place of duty.

**Safeguarding of Firearms**

1. Employees shall secure all department issued and/or approved weapons when such weapons are not in their immediate possession. Weapons must be locked in a secure enclosure that is not readily accessible to persons not authorized to use such weapons.

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2. Employees shall secure all department issued and/or approved weapons in their immediate possession to ensure that such weapons are not readily accessible to persons not authorized to use such weapons.
3. Employees who handle firearms shall do so in a safe manner, so as to avoid unintentional discharges.

**Reporting Discharge of Firearm**

1. Employees shall report all discharges of their department issued or approved firearms, whether accidental or intentional and regardless of who was responsible for the discharge, to their immediate supervisor as soon as possible. Discharges for training purposes are excluded.
2. Employees, whether on or off duty, shall notify their immediate supervisor which the discharge took place. The employee shall submit all necessary reports without undue delay.
3. All firearm discharges require the submission of an incident report completed in its entirety. Incident reports shall also include: the employee's duty status at the time of the discharge; the make, model, and serial number of the weapon discharged; the ownership of the weapon discharged; whether the firearm and ammunition was department issued or approved; the person who fired the weapon; the number of shots fired; the reason for the discharge; the distance between the employee and the person fired at when first shot was fired; who fired the first shot; if the employee was being fired on; and how many shots were fired at the employee.

**Display of Firearms**

Employee, when not in uniform, shall refrain from unnecessarily displaying their firearm or holster and from making reference to the fact that they are carrying a gun.

**Loss or Theft**

The loss or theft of a department issued owned firearm shall be reported promptly to the employee's immediate supervisor. The supervisor so notified shall cause an immediate and thorough investigation in each case of loss in an effort to effect recovery. Employees may be required to pay for lost or stolen equipment.

**Maintenance and Repair**

Firearms shall be maintained in a clean, safe, and dependable working condition. Responsibility for the safe operation and maintenance of the firearm rests with the

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employee to whom the firearm is issued. Weapons found to be in need of repair shall be presented to the issuing authority who shall determine what action should be taken toward making repairs and arrange for a replacement weapon.

#### **Altering Firing Mechanism**

No alteration of the firing mechanism of any Department-owned firearm shall be permitted. Radical alteration of trigger guards, triggers, and/or hammers shall not be permitted.

Inspection; Employees shall have all department issued approved firearms inspected as necessary by their immediate supervisor.



# ATTACHMENT G



**Municipal  
Resources, Inc.**

# Town of Wolfeboro, NH

## Policies and Procedures

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### Anti-Harassment Policy

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Policy Number: HR-001	Revision Number: 00
Approved By: Town Manager/BOS	Last Revision Date:
Origination Date: 8/17/2022	Review Frequency: 1 – 2 years

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**Overview:** The Town of Wolfeboro is committed to providing a work environment that is free of harassment based on sex, race, color, national origin, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, gender identity, and any other characteristic protected by applicable law. The Town of Wolfeboro is committed to a work environment in which all individuals are treated with respect and dignity. Therefore, the Town expects that all relationships among persons in the Town will be business-like and free of bias, prejudice, and harassment. The Town of Wolfeboro recognizes the harmful effects of harassment and will not tolerate it.

The Town of Wolfeboro requires all employees to report violations of this policy. The Town of Wolfeboro will respond promptly to reports of harassment, and will take corrective and/or disciplinary action, as appropriate, in an effort to ensure that the goals of this policy are met. The Town of Wolfeboro will not tolerate any form of retaliation against any employee who reports harassment or who participates in an investigation of a report or harassment.

**Examples of Prohibited Harassment:** This policy prohibits offensive, intimidating, threatening, or otherwise unwelcome comments or conduct based on sex, race, color, national origin, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, or gender identity. Examples of prohibited conduct include, but are not limited to:

- Written or spoken derogatory terms about sex, race, color, national origin, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, or gender identity;
- Slurs and epithets;
- Unwelcome jokes;

- Insults;
- Threats of physical violence or harm to a person's property;
- Display or circulation of materials, items, or images that are degrading or disparaging to individuals or groups based on the characteristics listed above;
- Any other unwelcome conduct or comments directed at a person or group because of a particular protected characteristic (i.e. sex, race, age, etc.).
- Bullying either direct or indirect, whether verbal, physical, electronic, or otherwise

It is important to note that the types of conduct explained in this policy are prohibited regardless of the intent of the person(s) engaging in the conduct (i.e. to be intentionally offensive, a misguided attempt at humor, attempts at establishing a romantic relationship, etc.). Prohibited conduct includes conduct that is direct as well as indirect (e.g. overheard conversations, e-mail messages sent or forwarded by accident, etc.).

**Specific Information About Sexual Harassment:** The formal definition of sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal, physical, and non-physical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding favorable employment opportunity, evaluation or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creating an intimidating, hostile, or offensive work environment.

Less formally, the types of conduct prohibited by this policy cover a wide range of inappropriate behaviors including, but not limited to, the actual coercion of sexual relations, unwelcome comments, jokes, innuendoes, sexually suggestive materials, and other unwelcome sexually oriented actions.

While it is not possible to list all of the types of conduct that might violate this policy, the following are some examples:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, vulgarity;
- Written or oral references to sexual conduct;
- Gossip regarding an individual's sex life;
- Comments regarding an individual's body;
- Comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons, electronic images;
- Leering, staring, whistling, grabbing, pinching;
- Sexual flirtation;
- Brushing against someone's body;

- Sexual gestures;
- Suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

**Individuals Covered by this Policy:** This policy applies to all employees of the Town of Wolfeboro at every level. This policy also prohibits harassment of or by non-employees (members, vendors, Board members, consultants, etc.) who come in contact with The Town of Wolfeboro's employees. This policy prohibits conduct whether it is directed at men by women, at women by men, at men by men, or at women by women, and regardless of whether the conduct occurs on or off the Town of Wolfeboro's premises or during or outside of working hours.

**Mandatory Reporting Procedure:** Employees must report any conduct that violates this policy using the "Reporting Procedure for Discrimination, Harassment, and Retaliation" below (referred to as the "Reporting Procedure"). Do not assume that the Town of Wolfeboro is aware of the problem. Each employee has a responsibility to report harassment. It is only through the active involvement of all employees that the Town of Wolfeboro can prevent and correct harassment in the workplace.

Using the Town of Wolfeboro's mandatory Reporting Procedure does not preclude an employee who has experienced conduct in violation of this policy from discussing the matter directly with the person(s) engaging in the offensive conduct. Employees who are offended by conduct are encouraged, but not required, to inform the person(s) engaging in the conduct of how they feel. This discussion may resolve the issue, but even if it is resolved the matter must still be reported through the Reporting Procedure.

**Consequences for Violating the Policy:** Violations of this policy, whether intended or not, will not be tolerated. Any employee who violates this policy will be subject to corrective and/or disciplinary action, up to and including termination of employment. Note that the Town of Wolfeboro may take corrective and/or disciplinary action to address inappropriate conduct even if it does not rise to the level of unlawful harassment.

**Retaliation will not be Tolerated:** The Town of Wolfeboro requires employees to report violations of this policy and will not tolerate any form of retaliation against an employee who makes a report or who participates in an investigation of a report under this policy. All incidents of retaliation must be immediately reported using the Reporting Procedure.

**Reporting Procedure for Discrimination, Harassment, and Retaliation:** Any employee who has observed, been made aware of, or experienced conduct in violation of our Policy Against Harassment or policy regarding Diversity and Equal Employment Opportunity (collectively referred to in this Reporting Procedure as the "Policies") must follow this reporting procedure to notify the Town of Wolfeboro of the problem so that the matter can promptly and thoroughly be investigated and appropriate action taken.

1. Notify the Supervisor, HR Coordinator or Town Manager of the conduct. An employee can report the matter to any (or more than one) of these individuals, orally or in writing.
2. In the event that the report is about conduct engaged in by the Town Manager, the employee may choose to make the report directly to the Chair of the Board of Selectmen and may do so orally or in writing.

**Investigation:** The Town of Wolfeboro will investigate reports made through this Reporting Procedure promptly and fairly. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation may be conducted internally or, in appropriate circumstances, an outside investigator may be retained.

Investigations will typically include private interviews with the person filing the report and with witnesses. The person alleged to have violated the Policies will also typically be interviewed. Any employee asked to participate in an investigation is expected to cooperate fully and truthfully. When the investigation is complete, to the extent appropriate, the Town of Wolfeboro will inform the person filing the report and the person alleged to have violated the Policies of the results of that investigation.

**Corrective/Disciplinary Action:** Any employee who has violated the Policies or otherwise acted inappropriately will be subject to corrective and/or disciplinary action, up to and including immediate termination of employment.

**Retaliation is Prohibited:** Employees who make reports in good faith under this Reporting Procedure and/or participate in good faith in any investigation under this Reporting Procedure have the Town of Wolfeboro's assurance that it will not tolerate any form of retaliation against them for their participation in the process. Any concerns regarding retaliation must be reported using the Reporting Procedure. (Cont'd.)



## ***Acknowledgment***

I have received a copy of the Town of Wolfeboro's Policy Against Harassment and Reporting Procedure for Discrimination, Harassment, and Retaliation, and have read them or had them read to me.

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Employee's Printed Name

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Employee's Signature

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Date