

VOLUNTARY STATEMENT

I, Shamus Wykes am employed as a police officer by the Fort Edward Police Department. I have been employed by them since June 1998.

On November 1, 1998 at approximately 0410 hours I was working as a uniformed officer for the Fort Edward Police Department when I received an emergency phone call from Neil Orsini whom I know to be the owner of the Anvil restaurant and Bar. Neil stated he would like me come down to the Anvil and remove an unwanted off-duty fellow police officer employed by the Fort Edward Police Department by the name of Sean Mahoney. He claimed that he would not leave, was causing a disturbance and had been removed by himself 4 times prior that evening.

Upon arrival Sean, Neil and a few other people were outside in a verbal dispute. As I approached them Sean instructed me to "go in there and rip the liquor license of the wall.". More arguing among them continued. I then instructed all the people, except Sean to go inside. I asked Sean what happened. He said "he didn't do anything wrong.". I then asked him to come for a ride with me; I was going to drop him off at his house. He said he was "fine and everything was cool." During our conversation Neil, Tim Burton and a couple other people kept coming out the door periodically and telling me how "crazy" and "out of his mind" he was. Tim Burton then came over to us and claimed to be a good friend of Sean's. He and Sean conversed for about 5 minutes. Tim was telling him he needed to "go home to bed" and to "seek professional help". Tim went inside and Sean proceeded across the street to the parking lot were his car was parked. I then requested that Sean come with me and "go for a ride, talk things over and bring him home.". Sean said he was "fine to drive". I knew Sean was highly intoxicated due to his red glassy eyes, slurred speech, poor coordination and a strong odor of alcohol emitting from his breath. He also told me during our conversation he had been "drinking all night.". As Sean was opening his car door, I asked him "not to do this to me", "don't put me in this position" and "I was responsible for him now". He said "No, don't worry about it, I am fine." I held on to his car door and pleaded with him not to drive his car. He sat down in the seat of the car. I told him I couldn't let him drive, he was too drunk. He then stood back up and pointed to me and said, "I am going to drive home now, and I am going straight home." He was very adamant. about it. I told him if he "insists on driving, he will end up getting deep trouble.". He sat down in his car, shut the door, started the car and headed northbound on Broadway. I then walked into the Anvil bar and spoke with Neil Orsini. I apologized for Sean's action's. He said "he was being a lunatic to everyone" and "had bring him home 4 times already that night." Neil also asked why I let him drive. I told him that I told Sean not to drive but he insisted and that action would be taken against him.

Knowingly making a false statement is punishable as a class A misdemeanor under the laws of the State of New York.



Ptl. S. M. Wykes

Fort Edward Police Department

118 Broadway
Fort Edward, NY 12828

Phone 747-6365
Fax 747-4397

November 02, 1998

Sean Mahoney
264 Broadway
Fort Edward, NY 12828

Dear Officer Mahoney:

Please be advised that I was informed of conduct by you which was unbecoming of a Police Officer. The incident occurred on November 1st, 1998 at the Anvil Restaurant. The incident was reported to me by Officer Shamus Wykes, who responded to a call for help from the owner of the Anvil. Shamus states that your behavior was irresponsible and disrespectful to him. He also states that alcohol was a factor and against his orders you drove a motor vehicle from the scene. This action caused embarrassment to Shamus, Yourself, the Fort Edward Police Department and the taxpayers who witnessed your actions. This conduct cannot and will not be tolerated. I am hereby removing you from the schedule for one week, without pay commencing today. I am also postponing The DARE program that was to begin in November. It will be assessed at a later date as to whether you status as Dare Officer will be continued.

You have the right to reject this punishment and the right to a hearing under Section 75 of the Civil Service law of the State of New York. This letter will be given to the Fort Edward Village Board for their approval and will be placed in your personnel file. If you have any questions in regards to this action, please feel free to contact me.

Sincerely,



Mitchell C. Suprenant
Chief of Police
Fort Edward, NY

June 15, 1999

Officer Sean Mahoney
57 Seminary Street
Fort Edward, NY 12828

Officer Mahoney:

As per our discussion this morning in regards to your abuse of Alcohol, I want to reaffirm the fact that before you come back to work you must be enrolled into an intensive alcohol abuse program. It must be a program that outlines their program and a program that I can monitor your attendance. I am also putting you on nights until further notice. I feel that this will be a factor in you being able to control your abuse.

There have been too many incidents involving you and the abuse of alcohol. I do not have to list them all but only say that this is the second verified incident involving you and alcohol since your problem in October, 1998

If you feel that this is not a fair punishment then you have the right to a hearing in accordance to section 75 of the Civil Service law. If it does proceed to that you will be formally charged in violation of sections 1.02, 1.04 and 1.16 of the Departments Rules and Regulations.

You are scheduled to be back to work at 11:00 pm on Wednesday June 23, 1999. That is depending upon your confirmation of enrollment to a Alcohol Abuse program.


Mitchell C. Suprenant
Chief of Police
Fort Edward, NY