

Chief Ronald E. Reyome

From: Dan McKillip [dan@mck@adelphia.net]
Sent: Thursday, November 03, 2005 8:40 AM
To: Nathan Race; Ron Reyome
Subject: Mulverhill Case

Gentlemen:

I have nothing no signed copies in my files of what has been sent to the hearing officer including the charges, amended charges and the hearing officer's designation to handle the case. I recall that the original charges were sent back because of a wrong address. My recollection is that we may have faxed an original to the hearing officer and perhaps didn't follow up with a mailing of the hard copies.

It's important that the Hearing Officer have the original designation letter, the original and amended charges by hard copy if he hasn't already.

Dan

11/3/2005

Mulverhill Case

To Do List

1. Nathan needs to arrange for a stenographer for the hearing dates of November, 7 and 8.
2. The following people need to be subpoenaed (Need to decide on Monday who's going to issue the subpoenas, Nathan or the Hearing Officer):
 - a) Ashley Rice
 - b) Bryana LaChance
 - c) Ashley Palmer
 - d) Police Officers Kemp, Stone, Merrick, Smith and Collette
 - e) Bret Lester
 - f) Francis Wood

Deputy Dow
3. Arrangements need to be made to interview Josh Wolz and Francis Wood on Wed., Thurs. or Friday (11/2, 3 or 4).
4. Draft questions for testimony should be provided to the witnesses not later than Wednesday – witnesses should pick up questions at the police station.
5. Any corrections or clarification of testimony should take place on Thursday by having the witnesses stop by the police station.
6. Copies of written documents should be prepared on Friday the 4th – 4 copies each.
7. Final preparation of testimony by Chief Reyome and Mary Kay LaChance should take place on Friday the 4th.

Chief Ronald E. Reyome

To: dancmck@adelphia.net
Subject: subpoenas for hearing

Dan,

Below you will find the addresses that you requested for the subpoenas. I have left a message for Francis Wood to contact me to set up an interview. I also think it might be best if you interviewed Wolz without me present. He has a real distaste for police officers and might be more cooperative if I'm not around. Let me know what you think.

Ron

Police Officers

Asst. Chief Stephan Stone, Sgt. Craig Collette, Ptl Brian Smith, Ptl. Stephan Kemp, Ptl. David Merrick
2 Police Plaza, Malone, New York

Ashley Rice ----

Francis Wood ----

Deputy Gerald Dow

Ashley Palmer ----

Bryana LaChance --

MaryKay LaChance --

Bret Lester ----

Terry Palmer ----

Chief Ronald E. Reyome

From: Dan McKillip [dancmck@adelphia.net]

Sent: Sunday, October 30, 2005 9:00 AM

To: Nathan Race; Ron Reyome

Subject: To Do List

Nathan and Ron,

Attached is a list of things that need to be taken care of. I'll be in my office Monday am but have to be in Plattsburgh in the afternoon. In the afternoon I can be reached on my cell phone 5 [REDACTED] That night I'm going to be at my place in Chazy Lake, [REDACTED] My email at Chazy Lake is [REDACTED]

I expect to be back in my office Tuesday afternoon. The rest of the week is on hold for Malone.

Dan

10/31/2005

Chief Ronald E. Reyome

From: Dan McKillip [dancmck@adelphia.net]
Sent: Monday, October 31, 2005 8:14 AM
To: Ron Reyome
Subject: Info

Hi Ron,

Over the weekend I noted that the Department's Duties and Rules of Conduct is dated February 1973. Since then, has the document ever been updated? I want to make sure we are using the most updated version.

On another matter, we talked about taking pictures of the places off Finney Blvd and behind Boyer Ave. That should be done if it hasn't already been done.

In my last email I had forgotten that I had a commitment Thursday morning the 4th. I expect it'll be over before noon. I want to arrange to meet with Mary Kay, Bryana, Bret and Ashley Rice on Wed. to once again review their testimony. Still need to set something up with Francis Wood and Josh Wolz.

I'll want to spend time with you either Thursday afternoon or Friday to go over your testimony.

Dan

10/31/2005

***NORTH COUNTRY
LABOR RELATIONS ASSOCIATES, INC.***

PO Box 96
Lake Placid, New York 12946
ph. (518) 523-7862; fax (518) 523-7862
nclra@adelphia.net

October 29, 2005

Richard A. Curreri, Director of Conciliation
PERB
80 Wolf Road
Albany, New York 12205-2604

RE: Demand for Arbitration – Village of Malone and the Village of Malone PBA

Dear Mr. Curreri:

I represent the Village of Malone on matters pertaining to the administration of its collective bargaining agreements with its unionized employees.

The President of the local PBA submitted a grievance on a GRIEVANCE FORM dated 10-14-05. Under Step 1 of the grievance procedure, the aggrieved officer is required to present the grievance orally to his immediate supervisor and then if the matter is not resolved within ten working days, the officer may appeal to Step 2 (see ARTICLE THREE – Grievance Procedure as provided in Mr. Crotty's Demand for Arbitration).

Accordingly, an appeal to Step 2 is premature until after the 10th working day which was 10-28-05.

As of this date, no appeal to Step 2 has been made by the PBA for a meeting with Village representatives (see Step 2 of the Grievance Procedure).

While I understand PERB is reluctant to become involved in contract interpretation, it is clear on its face that a Demand for Arbitration is premature unless and until the prerequisites of the defined procedures have been met.

Therefore, I respectfully request that the Demand dated October 24, 2005, not be processed until either the procedural requirements of the grievance procedure have been met or until the parties have been given the opportunity to resolve the matter short of arbitration.

Sincerely,

Daniel C. McKillip, NCLRA

Chief Ronald E. Reyome

From: Dan McKillip [dancmck@adelphia.net]
Sent: Monday, October 31, 2005 8:23 AM
To: Nathan Race
Cc: Ron Reyome
Subject: Sect. 75

Nathan,

Still anticipating possible court action to stop the hearing, I got thinking about the language in the contract in the face of the section 75 hearing. As you will note, the language in the contract pertains to discipline - not potential discipline. A section 75 hearing merely is a process that "could" lead to disciplinary action by the Village Board. The hearing officer only makes a recommendation - it's up to the Board to decide what, if any, discipline is to be imposed. It seems to me that until the Board acts to impose discipline, there is no basis for a grievance. If we were operating solely under the contract, the Board could issue the discipline without a hearing and then the union could challenge it through the grievance procedure. One might argue that the 30 day suspension is discipline but it's not. Discipline is defined under section 75 to be imposed only after a hearing and recommendation from the hearing officer.

I believe the above provides a reasonable argument against stopping a section 75 hearing.

Dan

10/31/2005

Chief Ronald E. Reyome

From: Nathan N. Race [nrace@twcny.rr.com]
Sent: Friday, October 28, 2005 3:15 PM
To: Dan McKillip; Ron Reyome
Subject: Re: PBAs Demands for Discovery

Good job - we will wait for the consent.

----- Original Message -----

From: [Dan McKillip](#)
To: [Nathan Race](#) ; [Ron Reyome](#)
Sent: Friday, October 28, 2005 3:48 PM
Subject: PBAs Demands for Discovery

Nathan and Ron,

I just received a fax from the hearing officer ruling on the PBA's demands for discovery. He's denied the requests except for material already placed in Mulverhill's file. Upon written request and payment of appropriate fees, copies may be obtained during the normal working hours. Such documents shall be provided within two days of any request. It appears that only Mulverhill can have access.

Dan

10/31/2005

cc: Nathan Race, Village Attorney
Chief Ronald Reyome
Mayor Brent Stuart

Chief Ronald E. Reyome

From: Dan McKillip [dancmck@adelphia.net]
Sent: Friday, October 28, 2005 2:49 PM
To: Nathan Race; Ron Reyome
Subject: PBAs Demands for Discovery

Nathan and Ron,

I just received a fax from the hearing officer ruling on the PBA's demands for discovery. He's denied the requests except for material already placed in Mulverhill's file. Upon written request and payment of appropriate fees, copies may be obtained during the normal working hours. Such documents shall be provided within two days of any request. It appears that only Mulverhill can have access.

Dan

10/31/2005

VILLAGE OF MALONE POLICE BENEVOLENT ASSOCIATION
c/o 2 Park Place
Malone, NY 12953

GRIEVANCE FORM

Date Submitted: 10-19-05

Grievants' Name: The Village of Malone Police Benevolent Association
and all affected unit employees

President's Name: David J. Merrick

President's Signature: 

A Grievance is being submitted by the Village of Malone Police Benevolent Association (PBA) and all affected unit employees pursuant to Article Three - Grievance Procedure of the 2003-2005 Collective Bargaining Agreement (CBA) between the PBA and the Village of Malone (Village) regarding a violation of Article Three - Grievance Procedure.

Statement of Facts:

In conjunction with a pending set of disciplinary charges against Scott Mulverhill, the Village scheduled a hearing before a hearing officer appointed pursuant to Civil Service Law § 75 thereby denying the employee the use of arbitration as provided by the CBA.

Remedy Sought:

For the Village to cease and desist from scheduling or holding a CSL § 75 hearing for any and all disciplinary charges and afford Scott Mulverhill and all unit employees access to the grievance procedure for all disciplinary charges. In the event this grievance proceeds to arbitration, the Village shall reimburse the PBA for all attorneys' fees, expenses and any arbitrator's fees and disbursements incurred in this matter and such different or additional relief as the arbitrator may deem to be appropriate.

STEP (1) DECISION

Date Reviewed: 10-28-05

Grievance Rejected: ☒

Grievance Sustained: ☐

Decision Statement: Refer to Village Board.

Chief Ronald E. Payne
SUPERVISOR'S SIGNATURE

10-28-05
DATE

The above decision is (satisfactory) (unsatisfactory) and I (will) (will not) appeal to the Step (2) Level.

GRIEVANT'S SIGNATURE

DATE

STEP (2) DECISION

Date Reviewed: _____

Grievance Rejected: ☐

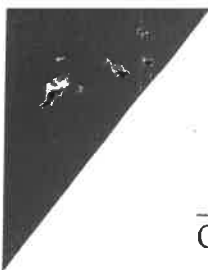
Grievance Sustained: ☐

Decision Statement: _____

VILLAGE BOARD'S SIGNATURE

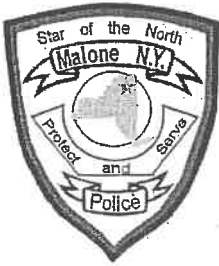
DATE

The above decision is (satisfactory) (unsatisfactory) and I (will) (will not) appeal to the Step (3) Level, Arbitration.



GRIEVANT'S SIGNATURE

DATE



POLICE DEPARTMENT
Village of Malone
2 Police Plaza
Malone, New York 12953-1601

(518)-483-2424
(518)-483-2426 FAX

Ronald E. Reyome
Chief of Police

FACSIMILE TRANSMITTAL SHEET

To: Dan From: Ron

Att. _____

Date: 10-27-05

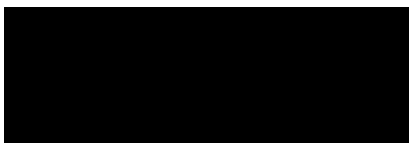
Case: _____

CONFIDENTIAL Yes ☒ No ()

Attached you will find my Directive on Request
for Reduction Forms. And the Directive from
ALC Marlow in regards to Review the Department
Rules & Regulations. Dated 2/14/05
Mulvanhill's initial are SMM

By: Chief Ronald E. Reyome

3 Pages including cover page



Chief Ronald E. Reyome

From: Dan McKillip [danmck@adelphia.net]
Sent: Thursday, October 27, 2005 9:40 AM
To: Nathan Race; Ron Reyome
Subject: Amended Charges

Nathan and Ron,

Please review the attached to see that I've covered everything in relation to modifications of some charges and new amended charges. I wanted to get this to you as soon as possible so I haven't done the proofing yet although I intend to right away.

If everything is in place, we'll need the Mayor's signature so we can go ahead and serve Mulverhill. Once that's taken care of, a copy of the amended charges should be faxed to John Grant at [REDACTED] with hard copy to follow by mail.

Let me know if you have any questions.

Dan

10/27/2005

Chief Ronald E. Reyome

From: Dan McKillip [dancmck@adelphia.net]

Sent: Friday, October 21, 2005 7:46 AM

To: Nathan Race

Cc: Ron Reyome

Subject: Dates for Hearing

Nathan,

My problem the first week of November is putting two days together. I'm ok for the 28th, and the 31st. On the 1st, I could start at 1:00 p.m. and continue on the 2nd. I'm tied up the morning of the 3rd but could start at 1:00 p.m. and continue on the 4th. I'm ok on the 7th an 8th and 11th the following week.

Dan

10/27/2005

**NORTH COUNTRY
LABOR RELATIONS ASSOCIATES, INC.**
PO Box 96
Lake Placid, New York 12946
ph. (518) 523-7862; fax (518) 523-7862
nclra@adelphia.net

October 26, 2005

Mr. Edwin A. Trathen
North Country Community College
PO Box 89
Saranac Lake New York 12983

**Re: Village of Malone and the Village of Malone Police Benevolent Association
Disciplinary Charges – Scott Mulverhill**

Please allow this letter to confirm receipt of a general denial of the charges brought against the Respondent Scott Mulverhill submitted by his representative, John Grant, Esq. Additionally, this letter shall serve as a response to Mr. Grant's Answer dated October 21, 2005 (attached hereto), wherein he demands certain information in relation to said Charges.

It is well settled that there is no general constitutional right to pretrial disclosure in administrative proceedings. Stevenson v. Goomar, 148 AD2d 217 (3d Dept 1989), lev. to app. den. 74 NY2d 945 (1989). Similarly, the denial of discovery in administrative proceedings does not violate due process. Sinha v. Ambach, 91 AD2d 703 (3d Dept 1982).

Furthermore, there has been no adoption of the discovery provisions of CPLR Article 31 by the relevant administrative agency, the Village of Malone, nor is there any provision in the relevant collective bargaining agreement that adopts the use of CPLR disclosure devices. Thus, the Respondent is not entitled to pre-hearing disclosure in this administrative proceeding. Heim v. Regan, 90 AD2d 656 (3d Dept 1982). Accordingly, the Village is not compelled by statute to provide the information requested.

New York Civil Service Law Section 75(2) requires that the notice of the specifications and charges "*must sufficiently apprise the party of the charges against him so as to enable him to adequately prepare and present a defense.*" Gisbert v. New York State Thruway Authority, 115 AD2d 934 (3d Dept 1985). The standard employed is whether or not the charges "*allow the person charged to present a defense.*" Pachuki v. Walters, 56 AD2d 677 (3d Dept 1977). The relevant case law clearly leaves the discretion as to whether to submit a "Bill of Particulars" to the agencies involved. It is noteworthy that Mr. Grant has submitted a general denial of all the Charges and Specifications contained in the Charges without the necessity of further documentation. In the instant case, the Village of Malone believes that the Charges comply with the requirements of due process. Without waiving any objection to Mr Grant's demands, the Village will address certain of the requests below:

In Response to item # 2 in Mr. Grant's Answer , wherein Mr. Grant writes that the Respondent "*... elects to grieve the disciplinary Charges pursuant to Article Three of the Collective Bargaining Agreement(CBA) between the Village ... and the (PBA)*" is without merit

and is designed to frustrate the ability of the Village to proceed under Section 75 of the Civil Service Law (CSL). The relevant language of the CBA is as follows:

Section 1B - Any employee, other than a probationary employee, will have the right to grieve a disciplinary action through the grievance procedure. Discipline shall be defined as any adverse written document an employee receives which is to be placed in his personnel file.

At this point in the proceeding, the Charges have not been placed in the Respondent's personnel file and there is no intention on the part of the Village to place the Charges in the Respondent's personnel file. Once a decision has been reached, it is possible, based on the outcome, that written documentation regarding the results may be placed in the Respondent's file; however, even then the only relevant grievance would be the propriety of the documentation being placed in the file, not the nature of the Charges because that has already been addressed. It should be further noted that the PBA currently has a proposal at the bargaining table calling for a change in the language to essentially allow arbitration of disciplinary allegations which constitutes an admission that it doesn't currently have it under the CBA (see attachment 2). Also, it should be noted that the past history shows disciplinary action has been conducted under Section 75 of the CSL as opposed to the grievance procedure in the CBA.

In Response to Demand # 3, the Village has already informed Mr. Grant that it will provide any and all documents in the Respondent's file upon written authorization from the Respondent. As of this date, no written authorization has been received from the respondent.

In Response to Demands 4 and 5, the Village will not provide the information requested based on the legal arguments already set forth herein on the basis that under the relevant case law, the Respondent is not entitled to same.

It is the position of the Village that unless and until the Demands set forth in Mr. Grant's Answer are ordered to be produced by the named Hearing Officer, the Village will not provide any further documentation prior to the hearing.

Very truly yours,

Daniel C. McKillip, NCLRA

cc: Nathan Race, Village Attorney
Chief Reyome
John M. Crotty, Esq.

Chief Ronald E. Reyome

From: Dan McKillip [dancmck01@verizon.net]

Sent: Friday, October 07, 2005 3:48 PM

To: Ron Reome; Nathan Race

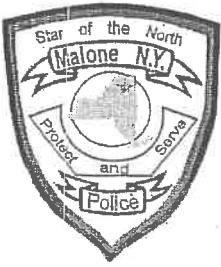
Subject: 30 Days

Gentlemen:

After thinking it over, I'm reasonably sure the 30 day suspension is 30 workdays. You can't suspend someone without pay for days they're not working. I've always counted it as workdays in the past and never have been challenged.

Dan

10/27/2005



POLICE DEPARTMENT
Village of Malone
2 Police Plaza
Malone, New York 12953-1601

(518)-483-2424
(518)-483-2426 FAX

Ronald E. Reyome
Chief of Police

FACSIMILE TRANSMITTAL SHEET

To: DAN

From: Ron Reyome

Att. _____

Date: 10-26-05

Case: _____

CONFIDENTIAL Yes () No ()

Notes on Tape

By: Chief Ronald E. Reyome

3 Pages including cover page

523-7862



9-17-05

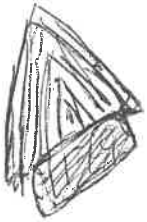
I won't talk to her anymore because Mark Kay told me not to.

I didn't come home that night I stayed in Plattsburg

Told Frank not to say anything

That's why he's in jail cause I arrested him

I haven't done anything with Ashley other than talk to her on the phone. And Mark Kay asked me not to do that.



Sept 9- said he spent the night in Plattsburg
worked here Sept 10 4:00 AM

I'm 38 years old I'm not going to
go out with some girl that's in high school

I NOT Going to date some ~~teacher~~ teenager

No Gets along with Ron

I went AND TOLD him (The Chief)

I don't Blame her (marg Kay) It was me
I probably be looking to kill me or something

Tuesday I went to his Probation OFFICER AND
Got him Violated (Wolz)

Went into interrogation room and I lit
in to him. I wanted to punch him in
the face.

I Told him when you get out of here, I want
you to come AND find me, when I'm not working
We can go out BACK of some building AND we'll
settle our differences.

I slammed my hand on the desk & said
If I ever hear that you did anything to
Ashley, you take a worse pounding than want
your going TAKE for saying what you just
said to me.

Intially I told her why not tell you (father)
Because you kill him.

CHARGES: Patrolman still under suspension

(Continued from Page 1)

In Mulverhill's case, the complaint alleges Mulverhill "did interfere with the return of a 17-year-old female reported as a runaway by her mother to New York State Police.

"The interference by the defendant was manifested by him rendering assistance to the runaway youth with transportation and shelter in a manner consistent with hiding her from the police. These acts obstructed/prevented the youth from being returned to her parents."

Mulverhill was first suspended from the village police force on Sept. 26 for unrelated departmental charges.

His suspension was later extended for 30 days.

In a previous interview, Malone Village Police Chief Ron Reyome said a hearing on departmental charges filed against Mulverhill will be scheduled soon.

When asked whether being convicted of a crime would prevent Mulverhill from serving with the police force, Reyome said, "Not necessarily," and said he could not further comment because of civil service law.

Police officer charged

Mulverhill probe ends in arrest on three counts

DARCY FARGO
The Telegram

Criminal charges have been filed against a Malone Village Police patrolman, New York State Police say.

On Wednesday, Malone-based State Police arrested Scott M. Mulverhill, 38, of North Bangor, on charges of second-degree obstructing governmental administration, second-degree criminal trespass and official misconduct, all class 'A' misdemeanors.

The investigation was commenced on Sept. 24, after a complaint was received about Mulverhill's involvement with a 17-year-old female runaway, Malone-based State Police say.

Mulverhill was arraigned before Town of Malone Justice Thomas Wilson and released on his own recognizance. An order of protection was also issued for the youth.

Mulverhill was first suspended from the village police force on Sept. 26 for unrelated departmental charges.

His suspension was later extended for 30 days.

Departmental charges are also pending in relation to Mulverhill's employment with the department.

Malone Village Police Chief Ron Reyome said he **could not** comment on whether the charges will impact Mulverhill's employment with the department.

"He's still under suspension on the departmental charges," Reyome said. "I was only made aware of the charges (Wednesday)."

When asked whether being convicted of a crime would prevent Mulverhill from serving with the police force, Reyome said, "Not necessarily," and said he could not further comment because of civil service law.

Reyome also noted that a hearing on Mulverhill's status with the department is being scheduled.

In a previous interview, Reyome explained that departmental charges are levied against an officer in the event a departmental policy or procedure has been violated. Reyome said punishment for departmental violations can range from the inclusion of a discipline report in the employee's personnel file to dismissal, depending on the violation.

Malone-based State Police would not comment further on the arrest.

Franklin County District Attorney Derek Champagne noted that the case has been assigned to a special prosecutor, Mark McCormick of Chateaugay, because of a conflict.

"I served as (Malone) Village Attorney, and (Assistant District Attorney) Glen MacNeill served as (Malone) Village Attorney," he said. "It just wouldn't be appropriate for my office to handle this case."

Patrolman's charges explained

Complaint alleges Mulverhill aided runaway

DARCY FARGO
The Telegram

Court documents relating to misdemeanor charges filed against Malone Village Police Patrolman Scott M. Mulverhill, 38, of North Bangor, provide more details relating to the alleged crimes.

According to the complaint filed in Malone Town Justice Court by Kelvis Melo, an investigator with Malone-based State Police Bureau of Criminal Investigation, Mulverhill is charged with official misconduct, second-degree criminal trespass and second-degree obstructing governmental administration — all class 'A' misdemeanors — based on his alleged involvement with a 17-year-old female who was reported as a runaway.

According the complaint, on or around Sept. 25, Mulverhill "did intentionally, knowingly and unlawfully commit the misdemeanor of official misconduct."

Official misconduct occurs, the complaint said, when "with intent to obtain benefit or deprive another person of a benefit, (an official) knowingly refrains from performing a duty, which is imposed upon him by law or is clearly inherent in the nature of his office."

In regards to Mulverhill's specific case, the complaint alleges Mulverhill was found at a Duane Street residence in Malone "in an off-duty capacity with a 17-year-old female who was reported to the New York State Police as a runaway on September 24, 2005, while knowing the 17-year-old youth had been reported as a runaway."

The complaint also alleges that Mulverhill "failed to follow departmental rules and regulations and the provisions of the Family Court Act relating to runaways and the return of runaways to their parents without unnecessary delay."

On the criminal trespass charge, the complaint defines the crime as when an individual "knowingly enters or remains unlawfully in a dwelling."

The complaint alleges that Mulverhill, on Sept. 10, "did enter and remain unlawfully" at a residence on state Route 11 in Malone, "after being advised by the owner he was to stay away from her place of residence."

The court document said obstructing governmental administration charges are filed when an individual "obstructs, impairs or perverts the administration of law or other governmental function."

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF FRANKLIN
DATE: 09/28/05

PAGE 1
TIME STARTED: 7:20 pm

PLACE: Malone Police Dept.

I, Bret Lester am 15 Years old, born on [REDACTED]
My address is [REDACTED]
My occupation is Student and education is 9th grade

My sister, Ashley Palmer is 17 years old and lives sometimes with me on the Gleason Road in Malone and sometimes with her mother, Mary Kay LaChance, in Burke. Sometime in mid August Ashley and I were at K-Mart in Malone. I heard her say to someone on her cell phone to meet her at K-Mart. Ashley and I went outside and a Malone Village Police car pulled up to her and she said "hey Scott, meet me out back". The police car went around back, Ashley and I got into her car and she drove around back to where the police car was. I have heard Ashley talk about Scott before, but this was the first time I actually met him. His name is Scott Mulverhill and he works for the Malone Village Police Department. Ashley pulled up beside the police car and talked to Scott through her window, he was taking to her through his window. They talked for about 10 minutes then we all left K-Mart at the same time.

About a week later Ashley and I were going to Aldi's in her car, she called Scott on her cell phone and asked him to meet her there. When we pulled into the parking lot I saw Scott, who was in the police car again, he was waiting for us and followed us over to the side of the building. Scott and Ashley talked to each other for about 10 minutes through their driver's window like last time. They said they loved each other when they said goodby and we all left the parking lot together, Ashley went to McDonald's and Scott went back down the hill.

The next time I remember seeing Scott was at his house, it was before school started, towards the end of August. Ashley and I were in the car and she called Scott and said we would be up in a couple of minutes and told him what road we were on. When we got there, we all sat in the kitchen talking for awhile, we were there for about 30 - 40 minutes. Ashley and I then left and she dropped me off at my friend's house in Bangor just off of 11B.

In the weeks before school started I have been with Ashley about 10 times when she would meet with Scott. We would be heading to the store or something like that and she would call Scott. He would meet her in a wooded clearing off of Finney Blvd across from the Niagara Mohawk building where no one could see us. Sometimes Scott would be working, driving the police car and sometimes he would be in his own truck. Since school has started Ashley has met Scott in that same location about 6 times, this would be in the morning before we went to school, sometimes Scott would be in the police car. When they would meet in the clearing Ashley would get into Scott's car, whichever one he was driving, the police car or his truck. About half the time I would get into Scott's car also, I always sat in the back. When it was the police car, it was the one with the soft seat, Scott told me I was lucky as the other police car had the hard plastic seat. We would usually be there for about 20 minutes, they would talk about different stuff including where and when they would meet again. They would also talk about Ashley's mother, Mary Kay calling Scott and her being upset about Scott hanging around with Ashley. They would usually hug and kiss each other before they left, saying they loved each other.

Signed:



I have been to Scott's house two more times with Ashley, she was suppose to be going to a friend's house in Brushton but we went to Scott's instead. The first time they were sitting in the kitchen and I was in the living room area playing with Scott's Play Station 2, PGA tour game. At some point while I was playing the game they left the kitchen and went upstairs, they were up there for about 45 minutes to a hour then they both came downstairs. We stayed for about another 10 minutes then we went back home. The other time we went there they went for a walk and I played with Scott's Play Station again, they were gone for about 15 minutes. When they came back they went upstairs again and they were up there for about 40 minutes then they came back down. When I was at Scott's I saw his three dogs, he has two that are alike, they were friendly but he has a third one that is smaller and older. I do not think it likes me as it would not stop barking at me and when it did it hid behind the couch and would not come near me.

On September 9th, Ashley, myself and a friend of ours, Francis Wood were going to Plattsburgh to the mall to the movies. When we were leaving school I heard Ashley call Scott and tell him to meet her out in Plattsburgh, that we were going to the movies. Ashley drove Francis and me to the mall and when we got there we met Scott in the food court area. All four of us went to the same movie, Francis paid for the three of us and Scott paid for himself. When we got into the theater Francis and I sat on one side and Ashley and Scott sat on the other side. When the movie was done we saw Scott in the food court area and he told us that Ashley was waiting for us in the car. Francis and I went to the car and met Ashley, we then went to Wal-Mart as planned, when we got to Wal-Mart Scott pulled in. All four of us went into the store and shopped for awhile the we left heading out onto the main road in front of Wal-Mart. When we got under the overpass for the highway we had to stop for traffic that was backed up. Traffic was stopped not moving, Ashley asked Francis if he would drive her car, then she got out and went back to Scott's car. Scott made a U turn and Francis followed him, we went down several back streets then came up to a road block and Scott pulled up next to a Trooper and talked to him. We found out that a Trooper had been shot, we followed Scott onto the Turnpike then onto another road where he pulled over and we pulled up beside him. Scott told Francis to go ahead that he would meet us back in Malone at Work Source One. They followed us for a ways but they kept falling further behind us. When we got back to Malone we went to Work Source One and waited about 25 minutes for Scott and Ashley to show up.

I have read this statement (had this statement read to me) consisting of 2 Page(s) and the facts contained herein are true and correct. I have also been told and I understand that making a false written statement is punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

Affirmed under penalty of Law this 28th Day of September 2005 .

Witness: *Terry G Palmer*

Witness: *S. J. Stone*

Signed:

Scott Lester

Page 2 of 2 Page(s)

Time ended: 8:31 pm

State of New York
Local Criminal Court

County of Franklin
Town of Brandon

THE PEOPLE OF THE STATE OF NEW YORK

-vs.

SUPPORTING DEPOSITION

SCOTT MITCHEL MULVERHILL

(Defendant)

State of New York
County of Franklin
Town of Malone

On 09/25/05, at 6:45 P.M. I, ASHLEY MARIE PALMER, B [REDACTED] and residing at [REDACTED]

State the following: That on 06/10/05, I met SCOTT MULVERHILL. I was driving my 1995 Mercury Tracer on Main Street, Malone, New York, when one of the traffic lights turned red. SCOTT MULVERHILL was driving a marked Malone Village Police Vehicle. He drove on the right side of me and started a conversation with me from his car. He said he thought I was going to go through the red light and I replied, I saw the cops behind me and was not going to go through the red light. I then told SCOTT that I had gotten a ticket for going through a stop sign from Officer BARRETT. SCOTT told me that if I needed help in getting the ticket reduced to either stop by the police station or get a hold of him. The light turned green and I drove west on State Route 11 towards Stewart's. I drove around and then I went home to change into shorts and t-shirt. I drove back into the Village of Malone and saw the cop car at the Sunoco Station. I pulled in and saw SCOTT inside the cop car. I told him I needed to know what to do about the ticket and SCOTT told me to pull into Doctor POUPORE's parking lot so we could talk. SCOTT wrote down my name, birth date, and my parents names. He told me to go to the Airport and get a reduction form for the ticket. I told him I wanted to be a cop and SCOTT spoke to me about doing an internship at the police station. This conversation with SCOTT lasted about a half hour.

At that time I had been hanging out with JOSH WOLZ. We kissed and stuff, but I didn't consider that we were dating. I found out some things about JOSH WOLZ such as he had been with four girls and used drugs. My mother also told me JOSH was bad news and

had been in jail. She told me to keep away from JOSH WOLZ. I still talked to JOSH WOLZ.

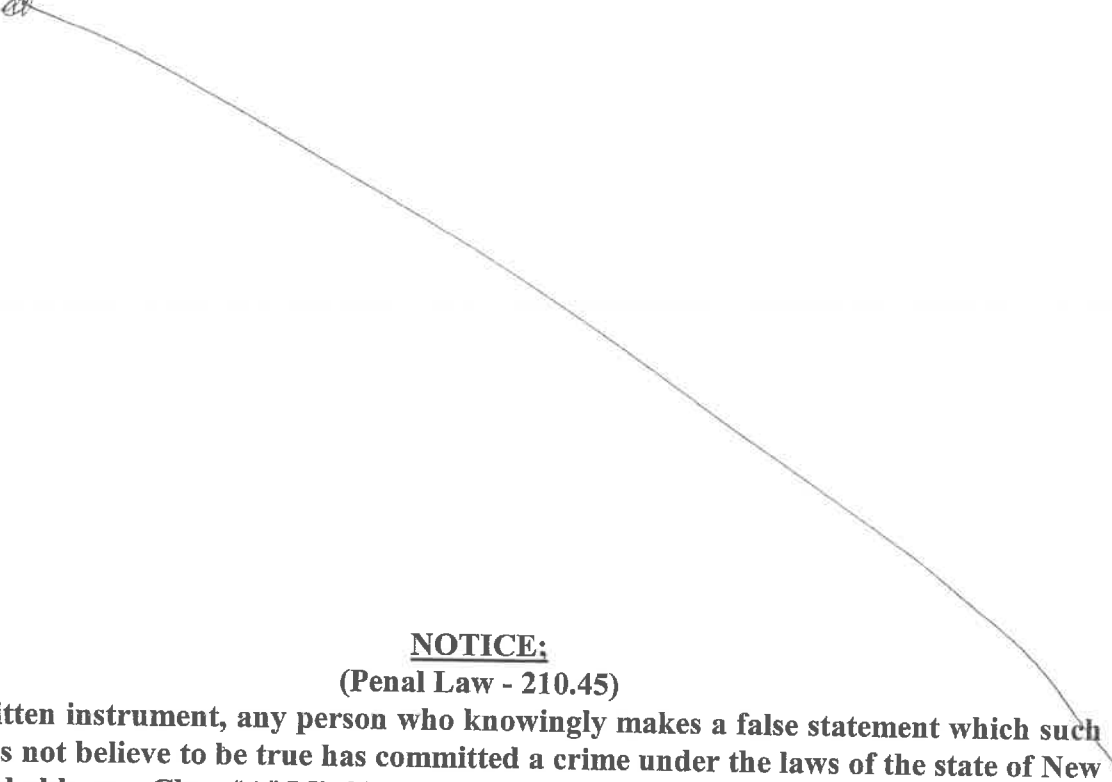
After that I talked to SCOTT at Maplefield's. SCOTT found out that I was hanging around with JOSH WOLZ and told me that JOSH WOLZ was a scum bag and he didn't think my parents would approve of me hanging with him. I had already spoken to JOSH WOLZ and told him I couldn't be around him and my parents can't stand him. JOSH would still wave to me when he saw me driving around town. The times I didn't wave back he would flip me off and follow me around. I told SCOTT about my problems with JOSH WOLZ and SCOTT told me he would speak to JOSH WOLZ' probation officer. SCOTT also gave his personal cell phone number. I started calling SCOTT and hanging up, just joking around. This progressed to talking a lot with SCOTT on the telephone. I then started hanging out with SCOTT at his house. I got burned in the end of June ¹⁹⁹⁵ 1995, putting gasoline on a bon fire. By that time I had gone up to SCOTT's house on the Mandish Road, North Bangor, NY, two or three times. I would lie and tell my mother I was going somewhere else. I did not have any contact with SCOTT for a week or a week and a half after I got burned. I then ended up going to SCOTT's house. He wasn't there a couple of times, so I left a note saying I got burned. About a week after I left this note, I went to SCOTT's house and he was home. I started seeing SCOTT pretty frequently after that.

In early July 2005, I told my mother I was spending the night at ASHLEY RICE's house. ASHLEY RICE spent the night at some other guy's house and I spent the night with SCOTT MULVERHILL in his house. We had sex that night. I used my birth control pills for protection while SCOTT used a condom. I left there early the next morning and went to pick up my sister, BRYANA LACHANCE at her father's house on the Gale Road in Brushton, New York. After I picked up my sister I drove back to SCOTT's house to pick up a pair shoes I left there. My sister stayed in the car and I went inside SCOTT's house. The door was unlocked. Sometime after this, I was at the Maplefield's gas station with my sister, BRYANA. JOSH WOLZ was leaning inside my car talking to me when SCOTT pulled up in his patrol car. I don't remember what SCOTT said, but he was pissed. JOSH WOLZ pulled away. I left and SCOTT followed me around with his patrol car for a while. I ended up talking to SCOTT on my cell phone. We pulled over somewhere and talked. I don't remember exactly what parking lot we stopped at, but the talk went good. I don't remember whether or not SCOTT wrote JOSH WOLZ any tickets this day. I know he has written JOSH WOLZ tickets as have other police officers. After that JOSH WOLZ would follow me around when he saw me especially if SCOTT was working. JOSH would pull up next to me at Maplefield's and make believe he was talking to me just to get SCOTT mad. JOSH would also beep his horn at SCOTT when he drove by him.

During the months of July, August, and September 2005, I went up to SCOTT house a lot. Most of the time I went there alone, but sometimes I went with my sister, BRYANA. I don't remember having sex with SCOTT any of the times my sister was there. I only took my brother, BRET LESTER to SCOTT's house two or three times. I never had sex with SCOTT when LESTER was in SCOTT's house.

During the beginning of September 2005, SCOTT told me he went to the Franklin County Jail and when he was leaving, JOSH WOLZ yelled out "pedophile" SCOTT told me he talked to the main guy at the jail about this. ^{al}

During August or September 2005, I was house sitting with my sister at KIM KECK's house on the Gale Road in Brushton, New York. SCOTT left his Jeep at the Brushton School and I picked him up. I spent two nights at KIM KECK's house, but SCOTT only spent one night there with me. We slept on KIM KECK's bed, but didn't have sex that night.

On September 24, 2005, I left my house at about 12:30 P.M. I made arrangements the day before with SCOTT MULVERHILL to meet him at a camp off the Brainardsville Road. SCOTT was concerned that the chief of police was talking to people and getting statements about our relationship. SCOTT wanted to know what I knew and I met SCOTT at this camp. I ended up not returning home and gave a statement about this to Trooper MARTIN on 09/25/05. I want to state that I did not go to Massena at all and I did not drive around that much. I left my car at JIM MANDISH's camp. SCOTT and JIM MANDISH were there at that time. From there I went to SCOTT's house with him. I told SCOTT I was sick of parents crap and I didn't want to go back home. I knew by then that my father was following me around after school. We then returned to MANDISH's camp. I moved my car into the woods to hide it. MANDISH was still there. I then used the phone in MANDISH's camp to call the hospital emergency room. We headed south on Route 30 towards Paul Smith's where SCOTT stopped at someone's house and changed vehicles. We then drove to LYNN's house (SCOTT's sister) on Duane Street, Malone, NY. This is where we spent the night. LYNN, RAYMOND, and some other guy were there. This is where the state police found me. 

NOTICE:

(Penal Law - 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class "A" Misdemeanor.

Affirmed under penalty of perjury
this 27th day of September, 2005

- or -

*Subscribed and Sworn to before me
this _____ day of _____,

Time ended: 12:50^K a.m./p.m. (p.m.)

Ashley Palmer
(Signature of Deponent)
T. D.
(Witness)
INV. Kelvis R. Melo

State of New York
Local Criminal Court

County of Franklin
Town of Brandon

THE PEOPLE OF THE STATE OF NEW YORK

-vs.

SUPPORTING DEPOSITION

SCOTT MITCHELL MULVERHILL

(Defendant)

State of New York
County of Franklin
Town of Malone

State the following: That I have known SCOTT MULVERHILL since I was born. SCOTT was a good friend of my father, CLYDE LACHANCE, who is a retired Malone Village Police Officer. For the past year, SCOTT and my father have drifted apart and do not call each other. My mother and father split up when I was about three years old and I live with my mother. I also have an older half sister, ASHLEY PALMER who lives with me and my mother. We are pretty close, but she did not know SCOTT MULVERHILL. ASHLEY first noticed SCOTT MULVERHILL last January when all the cops got their heads shaved at the mall in Massena, New York. She had a crush on him since. ASHLEY told me in June of this year that she started talking to SCOTT MULVERHILL. During June, 2005, my sister ASHLEY was hanging around with ASHLEY RICE. They picked me up at my father, CLYDE LACHANCE's house on the Gale Road in Brushton, New York. After they picked me up, they both said they had to stop at SCOTT MULVERHILL's house to pick up ASHLEY RICE's pants because they had spent the night there and ASHLEY RICE left her jeans there when she took a shower. At that point my sister, ASHLEY PALMER told me she was dating SCOTT MULVERHILL. I also knew that my sister, ASHLEY told my mother that she was spending the night at ASHLEY RICE's house the night before when she in fact spent the night at SCOTT MULVERHILL's house which is located on the Mandish Road, just off the Eddy Road in the Town of Brandon, New York. My sister, ASHLEY went inside the house and got

the jeans. She told me to stay in the car because SCOTT didn't want me to know too much because he was afraid I might slip up. During the months of July, August, and September 2005, I went to SCOTT MULVERHILL's house almost everyday with my sister, ASHLEY PALMER. In the beginning SCOTT wasn't always there when we went, but later he was there all the time. I saw SCOTT and my sister, ASHLEY kissing every time we met. They would kiss each other on the lips, but they wouldn't make out in front of me. SCOTT and ASHLEY would normally hang out in the living room at SCOTT's house, but they would also go upstairs to SCOTT's bedroom everyday. I don't know how long they spent upstairs. I usually went for a walk or would play outside with SCOTT's dogs. SCOTT and ASHLEY were really jealous of each other. They would argue a lot. SCOTT made ASHLEY erase all the male names listed as contacts on her cell phone and ASHLEY made SCOTT erase all the female contacts on his cell phone. They got into fights about JOSH WOLZ all the time. JOSH WOLZ was ASHLEY's boyfriend, before she started dating SCOTT. ASHLEY dated JOSH WOLZ for about 3 weeks. ASHLEY broke up with JOSH WOLZ because he cheated on her with EMILY RITCHIE. He also stole \$40 from ASHLEY's car glove compartment.

One day in July, 2005, ASHLEY gave me some pills which were in her pocket and she didn't want my mother to see. ASHLEY asked me to put these pills in her glove compartment. These pills were birth control pills. One time in either July or August 2005, when I was in SCOTT's house, I heard SCOTT's bed squeaking while SCOTT and my sister, ASHLEY were in SCOTT's bedroom together. This squeak made me believe SCOTT and ASHLEY were having sex together.

One day in August, 2005, I was with ASHLEY at Maplefield's talking to JOSH WOLZ. SCOTT was working and pulled up in his patrol car. He got out of the car and told JOSH WOLZ "you better get out of here". He then told ASHLEY "we're done". SCOTT noticed ASHLEY had JOSH WOLZ' cell phone number written on her hand. This number was 651-4577. SCOTT memorized this number and later told me that he called JOSH at this number and told him "you are dead". ASHLEY and I left, but SCOTT followed us around all day with his patrol car. We stopped by the Congregational Church on Finney Boulevard and SCOTT started writing JOSH WOLZ' name on some tickets. I think he did this on two or three tickets. SCOTT later told me that he had given JOSH the tickets. SCOTT followed us around with his patrol car often when he saw us in the Village of Malone. ASHLEY would sometimes call SCOTT on his cell phone and meet him by the A&M Beverages storage sheds.

One day in August 2005, I went to the ~~St. Lawrence Mall~~ ^{CHAMPLAIN CENTER MALL PLATTSBURGH} in Massena, NY with my sister ASHLEY. She went into the Spencer's store and bought a bottle of lubricant. The front of the bottle said "when you put it on it warms". I later saw this bottle of lubricant, half empty in SCOTT MULVERHILL's bedroom night stand.

One day in August 2005, I was house sitting with my sister, ASHLEY at KIM KECK's house on the Gale Road in Brushton, New York. ASHLEY called SCOTT on the telephone. He parked his Jeep by the Brushton school and ASHLEY picked him up. ASHLEY and SCOTT spent the night in KIM KECK's bed together.

In August 2005, I was with my sister, ASHLEY two different times that she went to Planned Parenthood Office in Malone, New York. One time she picked up birth control pills and another time she got a test for sexually transmitted diseases. She called SCOTT

MULVERHILL after she got this test because she wasn't feeling so good.

On September 10, 2005, at about 9:00 PM, SCOTT came over to my house. SCOTT told me he parked his Jeep on the Irish Settlement Road and wrote a note saying the car was broke down. ASHLEY picked him up and brought him to my house. SCOTT said he didn't want my uncle MARK SIMONSEN finding his Jeep since SCOTT wasn't supposed to be at my house because my mother had banned him. SCOTT only stayed for about an hour. He said he had to get back home because he didn't know when my mother was going to return.

I never saw SCOTT give alcohol, cigarettes, or marijuana to my sister or anybody else.

NOTICE:

(Penal Law - 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class "A" Misdemeanor.

Affirmed under penalty of perjury
this 26th day of September, 2005

- or -

*Subscribed and Sworn to before me
this _____ day of _____,

6:30 Bf
Time ended: 7:30 PM

X Bryan LaChance
(Signature of Deponent)
Thay Kay LaChance
(Witness)
INV. Kelvis R. Melo

NEW YORK STATE POLICE
SUPPORTING DEPOSITION
TO SUPPORT SIMPLIFIED TRAFFIC INFORMATION
[CPL 100.25 SUB 2]

LOCAL CRIMINAL COURT
COUNTY OF JEFFERSON

TOWN of ANTWERP
STATE OF NEW YORK

UTT NUMBER: LV231155-1

THE PEOPLE OF THE STATE OF NEW YORK

- VS -

SCOTT M MULVERHILL

Tpr ADAM A SWENSON of the New York State Police, a Police Officer and the Complainant
alleges that the Defendant committed the following:

1. Present Charges ☒ Speeding

VTL Section 1180- B

VTL Section

VTL Section

2. Offense Date: 09/30/05 Time: 10:15 AM C/T/V of:

T/ANTWERP

3. Vehicle: Year: [REDACTED] Color: MR
State of Registr: [REDACTED]

4. General Direction of Travel by Defendant: ☐ North ☒ South ☐ East ☐ West

5. Highway Location (Type/Name) of Offense: US HIGHWAY 11

6. Defendant's Speed: 75 MPH in a 55 MPH Zone.

7. Speed Measured By (Check All Applicable): ☒ Visual Estimate 77 MPH
☐ Pace (Calibrated Speedometer) ☒ Radar ☐ Moving ☐ Stationary ☐ Laser

8. Defendant's Operation and Commission of the above Offense Verified By:

☒ Direct Observation by Complainant TPR ADAM A SWENSON
☐ Police Witness (Name):
☐ Other

9. Additional Information: MULVERHILL STATED HE WAS A MALONE VILLAGE POLICE OFFICER. WHEN I ASKED FOR ID HE STATED HE WAS SUSPENDED FOR DRINKING AT A GOLF TOURNAMENT

PLEASE TAKE NOTICE, pursuant to Section 710.30 of the Criminal Procedure Law, that during Trial of the above matter, the People intend to offer evidence of a Statement(s) made by the Defendant to a Public Servant: MULVERHILL STATED THAT HE KNEW HE WAS SPEEDING BUT THAT HE WAS NOT SURE HOW FAST HE WAS GOING.

I UNDERSTAND THAT FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.

Affirmed Under Penalty of Perjury

This 05TH day of OCTOBER, 05

[Signature]
Signature

New York State Police

The People of the State of New York
against

SUPPORTING DEPOSITION

Scott M. Mulverhill

Defendant

I, Chief Ronald E. Reyome, am a police officer in the Village of Malone, New York, and by this supporting deposition make the following allegation of fact in connection with an accusatory instrument filed with this court against the above named defendant:

I am currently employed as the Chief of Police for the Malone Village Police Department. One of my duties as Chief of Police is to create and enforce the Department's Policy and Procedures and our Duties and Rules of Conduct. In Article 6.1 of the Duties and Rules of Conduct refers to the General Duties of a member of our force. It states that "A member of the Force will be responsible **at all times** for the prevention of crime, enforcement of all laws and ordinances, preservation of the public peace, protection of life and property, arrest and prosecution of law violators and professional adherence to Department rules and Regulations."

Our Department has a specific policy on dealing with sixteen and seventeen year old individuals. The policy is as follows. "We are treat 16 and 17 year olds like juveniles when it comes to being runaway. Children who don't return home when told and without reasonable explanation will be considered runaways. Children who refuse to return home will be considered runaways. We will use force if necessary to take them into custody. Pat down searches only, unless PC exist otherwise or if under arrest. They will not be detained in the holding cell unless under arrest. We will bring them to the PD and have parents come and get them, or return them home to parent. Parents must make an attempt to retrieve their children if they know their whereabouts before we will make transport as a runaway." This policy was developed in regards to the New York State Family Court Act section 718 Return of run away. This became effective on November 1, 2001.

On September 24th, 2005 an Ashley Palmer, age 17, was reported as a runaway to the New York State Police. Ashley was with one of my officers, the defendant, Scott M. Mulverhill. Ashley was located on September 25, 2005 at residence of Scott Mulverhill's sister in Duane Street in the Village of Malone. She was hiding in the residence along with Officer Mulverhill. When Officer Mulverhill was made aware that Ashley was considered a runaway he was obligated as a police officer and by our Department Policy to return her to her parents. He knowingly refrain from performing his duty, which is clearly inherent in the nature of his position as a police officer.

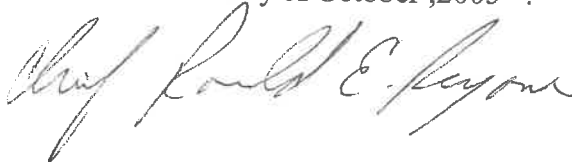
The foregoing factual allegations are based upon personal knowledge of the complainant (and upon information and belief, the sources of complainant's information and belief being,

Wherefore, Complainant prays that *Scott M. Mulverhill*

be dealt with pursuant to law.

False statements made in the foregoing instrument are punishable as a class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Accordingly and with notice of the foregoing, I hereby affirm that the foregoing statements of facts are true under penalty of law this: 21st Day of October, 2005.

COMPLAINANT:



ARTICLE VI

DUTIES OF MEMBERS OF THE FORCE

6.1 General Duties

A member of the Force will be responsible at all times for the prevention of crime, enforcement of all laws and ordinances, preservation of the public peace, protection of life and property, arrest and prosecution of law violators and professional adherence to Department rules and regulations.

6.2 Specific Duties

A member of the Force will:

- 6.2.1 Know and conform to Department rules and regulations, orders and procedures.
- .2 Perform assigned duties in a professional manner.
- .3 Obey all lawful orders.
- .4 Be in attendance for those hours specifically assigned and will be considered on duty at all times for the purpose of rendering emergency police service.
- .5 Participate in formal parades and roll calls in a professional manner.
- .6 When in uniform, maintain a professional bearing and render professional courtesy to superior officers.
- .7 Members shall treat Superior officers, subordinates and associates with respect. They shall be courteous and civil at all times with their relationship with one another. When on duty, and particularly in the presence of other members, employees or the public, officers will be referred to by Rank.
- .8 Identify self by name, rank and shield number when so requested.
- .9 Have a residence as provided in the laws of the State of New York and the Village.

Prepared by the Bureau for Municipal Police, State of New York.

BMVG LTRI LEG2-LB-02-2
BMVG LTRI LEG2-LB-01-06
QHQT QNYS MGRP OGRP UGRP
08333 FILE 24 SP ALBANY NY1010000
APB

*make your sales
aware of this
amendment.*

OCT 17-01

-----LEGAL BULLETIN SERVICE-----

#6

RE: RAISES THE AGE OF PERSON IN NEED OF SUPERVISION AND RUNAWAYS AS DEFINED
IN SOCIAL SERVICE LAW AND THE FAMILY COURT ACT

CHAPTER 596 THE LAWS OF 2000 AMENDED THE SOCIAL SERVICE LAW, AS WELL AS THE
FAMILY COURT ACT, BY CHANGING THE AGES CONTAINED WITHIN THE DEFINITION OF A
"PERSON IN NEED OF SUPERVISION" AND OF A "RUNAWAY".

EFFECTIVE NOVEMBER 1, 2001, A "PERSON IN NEED OF SUPERVISION" WILL BE DEFINED
BY SOCIAL SERVICE LAW SECTION 371(6) AND BY FAMILY COURT ACT SECTION 712(A)
AS A "PERSON WHO IS LESS THAN EIGHTEEN" AS OPPOSED TO THE CURRENT DEFINITION
OF A "MALE LESS THAN SIXTEEN AND A FEMALE LESS THAN EIGHTEEN." THE
"HABITUALLY TRUANT" FROM SCHOOL COMPONENT OF A PINS REMAINS AT UNDER SIXTEEN
YEARS OF AGE (EDUCATION LAW SECTION 3205).

EFFECTIVE NOVEMBER 1, 2001, FAMILY COURT ACT SECTION 718(A) WILL DEFINE THE
AGE OF A RUNAWAY AS A "CHILD UNDER THE AGE OF EIGHTEEN" AS OPPOSED TO A "MALE
LESS THAN SIXTEEN AND A FEMALE LESS THAN EIGHTEEN."

QUESTIONS REGARDING THIS LEGAL BULLETIN MAY BE DIRECTED TO THE OFFICE OF
DIVISION COUNSEL AT (518)457-6137.

FOR LEGAL BULLETINS MAY BE ACCESSED THROUGH THE MAIN NYSPIN MENU USING THE
"31" OPTION.

AUTH GLENN VALLE
COUNSEL C

NEW YORK STATE PROBATION OFFICERS ASSOCIATION

The Persons In Need Of Supervision (PINS) age will be raised to age 18 for all youths as of November 1, 2001. The following changes will occur:

New York State Social Services Law

TITLE 1 CARE AND PROTECTION OF CHILDREN

Section 371. Definitions

* 6. "Person in need of supervision" means a person less than eighteen years of age who is habitually truant or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority.

* not being Effective until November 1, 2001

New York State Family Court Act

PART 1 JURISDICTION

S 712. Definitions. As used in this article, the following terms shall have the following meanings:

* (a) "Person in need of supervision". A person less than eighteen years of age who does not attend school in accordance with the provisions of part one of article sixty-five of the education law or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority, or who violates the provisions of section 221.05 of the penal law.

* not being Effective until November 1, 2001

S 718. Return of run away.

* (a) A peace officer, acting pursuant to such peace officer's special duties, or a police officer may return to a parent or other person legally responsible for such child's care any child under the age of eighteen who has run away from home without just cause or who, in the reasonable conclusion of the officer, appears to have run away from home without just cause. For purposes of this action, a police officer or peace officer may reasonably conclude that a child has run away from home when the child refuses to give his or her name or the name and address of a parent or

other person legally responsible for such child's care or when the officer has reason to doubt that the name or

address given are the actual name and address of the parent or other person legally responsible for the child's care.

* not being Effective until November 1, 2001

PART 3
PRELIMINARY PROCEDURE

S 732: Originating proceeding to adjudicate need for supervision.

* (b) the respondent was under eighteen years of age at the time of the specified acts; and

* not being Effective until November 1, 2001

CHAPTER TEXT:

LAWS OF NEW YORK, 2000

CHAPTER 596

AN ACT to amend the social services law and the family court act, in relation to the definition of a "person in need of supervision"

Became a law December 19, 2000, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 6 of section 371 of the social services law, as added by chapter 690 of the laws of 1962, is amended to read as follows:

6. "Person in need of supervision" means a ~~[male less than sixteen years of age and female]~~ person less than eighteen years of age who is habitually truant or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority.

§ 2. Subdivision (a) of section 712 of the family court act, as amended by chapter 920 of the laws of 1982, is amended to read as follows:

(a) "Person in need of supervision". A ~~[male less than sixteen years of age and a female]~~ person less than eighteen years of age who does not attend school in ~~[accord]~~ accordance with the provisions of part one of article sixty-five of the education law or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority, or who violates the provisions of section 221.05 of the penal law.

§ 3. Subdivision (a) of section 718 of the family court act, as amended by chapter 843 of the laws of 1980, is amended to read as follows:

(a) A peace officer, acting pursuant to ~~[his]~~ such peace officer's special duties, or a police officer may return to ~~[his]~~ a parent or other person legally responsible for [his] such child's care any ~~[male under the age of sixteen or female]~~ child under the age of eighteen who has run away from home without just cause or who, in the reasonable ~~[opinion]~~ conclusion of the officer, appears to have run away from home without just cause. For purposes of this action, a police officer or peace officer may reasonably conclude that a child has run away from home when the child refuses to give his or her name or the name and address of ~~[his]~~ a parent or other person legally responsible for [his] such child's care or when the officer has reason to doubt that the name or address given are the actual name and address of the parent or other person legally responsible for the child's care.

§ 4. Subdivision (b) of section 732 of the family court act is amended to read as follows:

(b) the respondent~~[, if male, was under sixteen years of age and, if female,]~~ was under eighteen years of age at the time of the specified acts; and

EXPLANATION--Matter in italics is new; matter in brackets [-] is old law to be omitted.

CHAP. 596

2

§ 5. This act shall take effect on the first day of November next succeeding the date on which it shall have become a law.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly

To: all personnel
From: Sgt B Cox per Chief per Judge Main
Date: 3-8-04
re: 16/17 yr olds

We are to treat 16 and 17 yr olds like juveniles when it comes to being a runaway.

Children who don't return home when told and without reasonable explanation will be considered runaways.

Children who refuse to return home will be considered runaways.

We will use force if necessary to take them into custody.

Pat down searches only, unless PC exists otherwise or if under arrest.

They will not be detained in the holding cell unless under arrest.

We will bring them to the PD and have parent come get them, or return them home to parent.

Parents must make attempt to retrieve their children if they know their whereabouts before we will make transport as a runaway.

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF FRANKLIN
DATE: 09/30/05

PAGE 1
TIME STARTED:

PLACE: Malone Village Police Dept.

I, Francis E. Wood III, [REDACTED]

My address is [REDACTED]

My occupation is grocery produce clerk and education is 11 yrs .

On 09/09/2005 Ashley Palmer and her brother Bret Lester and I went to the movies in Plattsburgh, we used Ashley's car to get there. I have known Ashley and Bret for about 3 years now, about the time my family moved to Malone they go to our church.

While we were at the Mall in Plattsburgh, Bret and I went to the food court and had some pizza and Ashley walked around for awhile. Just as we were getting ready to go into the movie theater I saw Scott Mulverhill. I have seen Scott before in Malone and I know he is a police officer in Malone. Ashley went over to Scott and talked to him, I paid for Ashley's and Bret's tickets. Bret and I stood by the theater door for about 5 minutes as Ashley and Scott had to use the bathrooms. Bret and I decided to find some seats and went inside to the left and sat down. About 10 minutes later Scott and Ashley came in but they went to the right side and sat down. About half way through the movie Ashley got up and left, Scott left about two minutes later. When the movie ended Bret and I went out into the food court area and sat at one of the tables. We were there about 10 minutes then saw Scott coming in from the outside, he told us that Ashley was in the car waiting for us. Bret and I went out to Ashley car, Scott went to his car. Ashley said she had a stomach ache and she drove over to Wal-Mart and Scott followed us over there.

All four of us went into Wal-Mart and Ashley bought some fruit and Scott said he had to buy some dog food but I did not see him with any dog food when he left the store. Ashley asked Scott if he was going to follow her home to make sure she made it safely and he told her yes. Before we left the parking lot, Scott or Ashley said that they needed to talk. All four of us got in Ashley car, Bret and Ashley in the front, Scott and I in the back. While we were in the car Scott asked me not to tell Mr. Palmer, which is Ashley dad, that he was there. He asked Ashley if they could trust me and Ashley told him yes. Scott went back to his car, a little SUV, and Ashley drove out of the parking lot with Scott following us. When we got on the RT 3 underneath the overpass we stopped in traffic, traffic was not moving as there was a road block up ahead with police cars. I told her it was after 9pm and with all the police she might get a ticket as she only as a D.J. license. Ashley got out and went to the back passenger side seat and I got into the drivers seat. We were still not moving, and Ashley said she was going to get into Scott's car. Ashley got into Scott's car and he flashed his headlights at us and turned his left turn signal on, he started turning left and told us to follow him. We went the back way around and went about a 1/2 mile when we ran into another road block and they told us that we had to turn around and go back the other way, Scott talked to a State Trooper there. We turned back and went the other way and stopped at a gas station so Ashley could call her mother to tell her she was going to be late because of all the road blocks. At the gas station Scott also told us that a Trooper had been shot. We started out again with Ashley still riding with Scott, he told me to follow him back to the Military Turnpike.

Signed:



It took us about 3 to 4 mile to reach the Turnpike, I followed Scott from Plattsburgh to Ellenburg, we turned onto a road that goes from Ellenburg to Brianardsville. When we were on the road Scott pulled over to the side of the road and pulled up next to him. Scott told me to go ahead that he would follow us. He asked if I knew where the old Ponderosa was , the Work Source One, that he would meet us there. I drove to Brainardsville then to Malone to doing the speed limit. Scott's car was behind us for the first 5 minutes then it slowed down and I lost sight of it. When I got to Malone I went to the parking lot of Work Source One, on Finney Blvd where Scott told us to wait. Bret and I waited there about 15 minutes then Scott and Ashley pulled up. Ashley got back in her car, behind the driver's seat, she asked Scott if he was going to follow her home. Ashley told Scott she had to drop me off first at my house, Scott follow Ashley to my house where I was dropped off.

I have read this statement (had this statement read to me) consisting of 2 Page(s) and the facts contained herein are true and correct. I have also been told and I understand that making a false written statement is punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

Affirmed under penalty of Law this 30th Day of September 2005

Signed: 

Witness:



Witness:

Page 2 of 2 Page(s)
Time ended: 9:15 pm

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF FRANKLIN

PAGE 1

TIME STARTED: 1246 hrs

DATE: October 6, 2005 PLACE: Malone Village Police Station

I, Craig J Collette

My address is Mo

My occupation is Police Sergeant.

I would like to state that I am employed by the Village of Malone Police Department as a police officer. I presently hold the rank of Sergeant.

On October 5, 2005 I was working afternoon shift from noon until 2000 hrs. At approximately 1910 hrs the Chief of Police, Ronald Reyome, came into the police station. He walked over to his office, unlocked the door and went inside. A moment later he came out of his office and stood next to me. We had a brief conversation and then he proceeded down the hall to the locker room. I walked behind him and also entered the locker room. Again we had a brief conversation and then I returned to the communication room to continue my duties.

During the time that I spent conversing with Chief Reyome I could not smell any sent of an alcoholic beverage coming from his breath. His speech was not impaired nor were his eyes glassy. He also showed no signs of difficulty walking down the hall.

I have read this statement consisting of 1 Page and the facts contained herein are true and correct. I have also been told and I understand that making a false written statement is punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

Affirmed under penalty of Law this 6th Day of October 2005.

Signed:



Witness:



Page 1 of 1 Page

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF FRANKLIN

PAGE 1
TIME STARTED: 11:20am

DATE: 11/3/05 PLACE: Malone Police Dept.

I, Danny E. Hollis, am [REDACTED]
My address is [REDACTED]
My occupation is a Truck Driver and education is 12 years.

On 9/12/05 at around 12pm I was driving tractor-trailer for Teal's Trucking out of Watertown, NY and I was on State Route 37, just going out of the Village of Malone. I was alone in my truck and was headed to Massena, NY.

I was stopped by a Malone Police Officer who I found out was Officer Scott Mulverhill and he stopped me just outside the Village line, just before you turn onto the Bare Hill Road. Officer Mulverhill said that he caught me doing 46mph in a 30mph zone and he issued me a traffic ticket for it. When he gave me the ticket, he said that he knows I'm out trying to make a living and that he had changed something on the ticket to help me out. He also told me that as long as I had a clean license, to write a letter to the court asking them to give me a reduction form. If my license was clean, he said that I could get the ticket reduced. I never heard anything before about reduction forms, until Officer Mulverhill told me about it. He also told me that if I got accepted, the court would send me the reduction form and then I would send it back to the Police Department, attention to him. He would then go over it with his Chief and then I would be getting something from the court.

I went through the process and ended up getting my ticket reduced to Parking on the Pavement and was fined \$100.

I have read this statement (had this statement read to me) consisting of _1_ Page(s) and the facts contained herein are true and correct. I have also been told and I understand that making a false written statement is punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

Affirmed under penalty of Law this 3rd Day of November, 2005.

Signed: *Danny Hollis*

Witness: *Sgt. Dean Lantieri*

Witness: *PTM JTH*

Page 1 of 1 Page(s)
Time ended: 11:33am



POLICE DEPARTMENT
Village of Malone
2 Police Plaza
Malone, New York 12953-1601

Entered into computer
DEM 10/12/05

CELL #
315-486-2295

(518) 483-2424
(518)-483-2426 FAX

Ronald E. Reyome
Chief of Police

Stephen J Stone
Asst. Chief of Police

**MALONE VILLAGE POLICE DEPARTMENT
REDUCTION CONSENT FORM**

DEFENDANT'S NAME: DANNY E. HOLLIS

COURT: V/MALONE

JUDGE (If Known): 10/28/05

DATE ARRESTED(Ticket issued): 9/12/05

RETURN DATE: 10/28/05 - NOT VALID

TICKET(S) NUMBER: LT 978898-4

CHARGE(S): SPEED/ZONE 46/30

OFFICER'S NAME: PL. SCOTT MULVERHILL

CHECK ONE OF THE FOLLOWING

() I agree to the following reduction in the above matter. _____

(☒) I agree to a reduction in the above matter at the Court's discretion.

() I do not agree with any reduction in the above matter.

Officer's signature

Date

SGT. Sean Lantieri
Supervisor's Signature

10/12/05
Date

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF FRANKLIN

PAGE 1

TIME STARTED: 1400 Hrs

DATE: November 3, 2005 PLACE: Malone Village Police Station

I, Joseph M. Dingle, [REDACTED]

My address is Malone, NY 12953

My occupation is Business Owner and education is 4 yrs college.

I would like to state that on 9-20-05 I was pulled over in my vehicle by Officer Mulverhill. This was at about 11:40 AM on West Main Street in the Village of Malone. Officer Mulverhill told me that he had stopped me because I had driven my car through a red light. I told him that I had been caught in traffic by the court house and I was going through the intersection and the traffic had stopped. When traffic started moving I proceeded the rest of the way through the intersection. I then asked him if he could give me a break. He said to me that he would but that he had the Mayor riding with him today. He said that when the Mayor rides with us we have to write tickets for every stop. He then said if I have to give you a ticket go in to the station and ask for a reduction form and I'll take care of it. He then returned to his patrol car. He came back a short time later and said that the Mayor doesn't know you. I told Officer Mulverhill that he knows who I am. Officer Mulverhill said that he had to write me the ticket. He then told me to wait a day and then go to the police station and ask for a reduction form and that he would take care of it. He gave me my ticket and I drove away.

I have read this statement consisting of 1 Page and the facts contained herein are true and correct. I have also been told and I understand that making a false written statement is punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

Affirmed under penalty of Law this 3rd Day of November 2005.

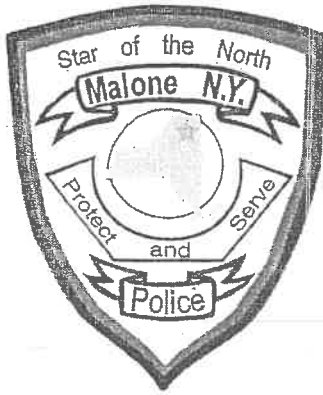
Witness:

Witness:

Signed:

Page 1 of 1 Page

entered into computers
DLm 10/4/05



POLICE DEPARTMENT
Village of Malone
2 Police Plaza
Malone, New York 12953-1601

(518) 483-2424
(518)-483-2426 FAX

Ronald E. Reyome
Chief of Police

Stephen J Stone
Asst. Chief of Police

**MALONE VILLAGE POLICE DEPARTMENT
REDUCTION CONSENT FORM**

DEFENDANT'S NAME: JOSEPH DINGEE
COURT: V/ MALONE
JUDGE (If Known): A.E. SIMAYS
DATE ARRESTED(Ticket issued): 9-20-05
RETURN DATE: 10/17/05
TICKET(S) NUMBER: LT 948885-5
CHARGE(S): PASSED RED LIGHT
OFFICER'S NAME: PT. MULVERHILL

CHECK ONE OF THE FOLLOWING

- () I agree to the following reduction in the above matter. _____
- (☒) I agree to a reduction in the above matter at the Court's discretion.
- () I do not agree with any reduction in the above matter.

Officer's signature

Date

SGT. Simon Fantano
Supervisor's Signature

10/3/05
Date



POLICE DEPARTMENT
Village of Malone
2 Police Plaza
Malone, New York 12953-1601

(518) 483-2424
(518)-483-2426 FAX

Ronald E Reyome
Chief of Police

Stephen J. Stone
Asst. Chief of Police

Instruction Sheet
Vehicle and Traffic Charge
Request for Reduction
Malone Village Police Tickets

Attached is an Affirmation Form Request for a reduction recommendation from the Malone Village Police Department. The form must be entirely completed, signed and returned to this office. A review of your request will be made by the issuing Officer and his immediate Supervisor. You will receive a copy of the recommendation that we submit to the Court. The Court always has the final say as to whether any reduction will be granted.

Even if an attorney represents you, you still must personally sign this affirmation.

This Department will respond to your request only if the following instructions are complied with fully:

1. Complete the Affirmation Form and personally sign it.
2. Mail the completed form to the Malone Village Police Department at the address listed above with one clear and legible photocopy of each ticket. If you do not have a copy of the traffic ticket, you must get one from the Court.
3. You must also include a self addressed stamped business-size envelope for our reply

NOTICE: THIS REQUEST DOES NOT ALLEVIATE YOUR RESPONSIBILITY TO APPEAR IN COURT AS DIRECTED. YOU MUST STILL ASK THE COURT FOR AN ADJOURNMENT OF ANY SCHEDULED APPEARANCE DATE TO TRY TO DISPOSE OF YOUR TICKET(S) BY PLEA-BARGAIN.

MALONE VILLAGE POLICE DEPARTMENT
"TRAFFIC TICKET" REDUCTION FORM

Joseph m. Dingle signing below under penalty of law, states the following:
(PRINT YOUR FULL NAME)

1. I am making this application in support of my request for a reduction of a certain Vehicle and Traffic Law charge or charges as stated below.

2. My date of birth is [REDACTED] and I presently reside at [REDACTED]
Malone, NY and employed by [REDACTED]

3. The charge which I wish to reduce is as follows: COURT: Malone
JUDGE (if known): _____ CHARGE(S): RED LIGHT
DATE ARRESTED (ticket issued): 9/20/05 RETURN DATE: _____
OFFICERS NAME: Murphy
(ATTACH COPY OF TICKET(S))

4. In the incident resulting in the present Vehicle and Traffic ticket, there (was) (was not) personal injury or death sustained by anyone involved.. (Circle applicable word(s))

5. Within the last thirty-six months I have been ticketed and convicted of the following Vehicle and Traffic Law violations within the United States of America. (List all tickets issued to you)

6. I am (not) represented by an attorney. (Strike applicable word)

7. (If applicable) my attorney's name, address and telephone number are as follows: _____

8. I understand that in making this request for a reduction, I waive all rights to a speedy trial.

9. A reduction should be granted because (attach additional sheet if necessary):

caught in the intersection - traffic stopped -
had to keep moving to clear intersection.

NOTICE
PL SECTION 210.45

IN A WRITTEN INSTRUMENT, ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE HAS COMMITTED A CRIME UNDER THE LAWS OF THE STATE OF NEW YORK PUNISHABLE AS A CLASS "A" MISDEMEANOR.

AFFIRMED UNDER PENALTY OF PERJURY

THIS 27 DAY OF Sept., 20 05

[Signature]
APPLICANT'S SIGNATURE

UT-3.6 (7/03)

New York State • Department of Motor Vehicles

LT 978885 5

UNIFORM
TRAFFIC
TICKET

POLICE AGENCY

Last Name (Defendant)

DUGLE

First Name

JOSEPH

M.I.

Nu

Apt. No.

City

Malone

State

NY

Zip Code

12953

Client ID Number

1111 18 12 12 25 11

Lic. State

NY

Lic. Class

D

Date Expires

06/12

Sex

M

Com. Veh.

Com

Bus.

Mat.

Plate Number

105185P

Reg. State

NY

Reg. Type

Com

Color

Color

Veh. Type

Veh. Type

Vehicle Year/Make

90 ISOTA

In connection with your alleged commission of the following offense committed on

Weekday

TUE

Date of Offense

04/26/05

Time

AT 11:40 AM

Street Name

ON W. Main STREET

Hwy. Type

Hwy. Type

Hwy. No.

Hwy. No.

IN CTY OF

Malone

CO. OF

FRANK

Location Code

1724

IN VIOLATION OF ☒ NYS V&T Law

01

☐ Other Law

Sec

111

Sub

d1

Description of Violation

passenger KOC

MPH

MPH Zone

IN

(Officer's Signature)

[Signature]

Offense Type

Traffic

Intra-

ction

Misde-

meanor

NCIC/PRI

01624

DIV/Troop

MUPD

PCT/Zone

PCT/Zone

Sector/Station

Sector/Station

Officer's Last Name (print)

Mullerhill

En

5 M

M.I.

8053

Badge/Shield

8053

YOU ARE HEREBY DIRECTED TO APPEAR IN THE

City

Town

Village

Address

City

State

Zip

Date

ON

YEAR

AT

Time

ON

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Supporting Deposition (CPL-100.20)

New York State Police

State of New York
Local Criminal CourtCounty of Franklin
Town of Malone

THE PEOPLE OF THE STATE OF NEW YORK

-vs.-

SUPPORTING DEPOSITION

SCOTT M. MULVERHILL

(Defendant)

State of New York
County of Franklin
Town of MaloneOn 10/04/05, at 5:05 P.M. I, ASHLEY MICHELLE RICE
[REDACTED]

State the following: That I am speaking to Investigator KELVIS R. MELO at the New York State Police Barracks in Malone, New York. I am with my mother, MICHELLE RICE. I have known ASHLEY PALMER for about four years. We attended school together in Malone. I didn't start hanging out with ASHLEY until May of this year. She invited me to her birthday party in mid May and by the end of May we started hanging out together. We also worked together at Bokle's Tastee Freeze in Malone, NY. When we started hanging out together, ASHLEY PALMER was dating JOSH WOLZ who we call "Bear". I met JOSH WOLZ through ASHLEY PALMER. ASHLEY PALMER only dated Bear for two weeks. She broke up with him because according to ASHLEY PALMER, JOSH cheated on her with EMILY RITCHIE. During the first week in June 2005, ASHLEY PALMER started talking to me about SCOTT MULVERHILL. He is a cop in the Malone Police Department. ASHLEY PALMER told me that SCOTT MULVERHILL was going to take care of a ticket she got for running a stop sign. ASHLEY got this ticket while she was going out with JOSH WOLZ. I witnessed this conversation between SCOTT and ASHLEY behind Doctor POUPORE's parking lot. I was inside ASHLEY PALMER's car. A day or two after this conversation, ASHLEY PALMER told her mother she was spending the night at my house and I told my mother I was spending the night at ASHLEY PALMER's house. I spent that night at Split Rock camping with friends and ASHLEY PALMER went to SCOTT's house and spent the

night there with him. ASHLEY PALMER picked me up at 6:00 A.M. or 6:30 A.M. the next morning. She was wearing her pajamas. After ASHLEY picked me up we went back to ASHLEY's house. Her mother was working and not at home. At about 9:00 P.M., ASHLEY PALMER and myself went back to SCOTT MULVERHILL's house on a small dead end road near split rock. While we were there SCOTT offered us something to drink including wine coolers. I had soda, but ASHLEY PALMER had a reddish colored wine cooler. At about 11:30 P.M. that day, I was watching women's basketball when I thought I heard noises. SCOTT and ASHLEY PALMER were upstairs in SCOTT's bedroom together. I lowered the volume on the television and heard what appeared to be the sound of a bed hitting against a wall. I also heard muffled noises and got the impression ASHLEY was having sex with SCOTT. The next morning, ASHLEY told me she had sex with SCOTT MULVERHILL. During the months of June and July 2005, I went to SCOTT MULVERHILL's house with ASHLEY PALMER on numerous occasions. I have not hung out with ASHLEY PALMER since late July 2005. This is because ASHLEY started hanging out with SCOTT MULVERHILL more often and I moved in with my father in Peru, NY, for a while.

During August 2005, I was with my best friend, CECILIA MERRILL at Sunoco's parking lot. JOSH WOLZ pulled up in JARED GRANT's vehicle. He was with JARED GRANT and MATT STEENBERGE. It was about 11:00 P.M. JOSH WOLZ borrowed CECILIA's cell phone and called ASHLEY PALMER's mother. I know this because JOSH asked me for ASHLEY's number. JOSH then called ASHLEY PALMER's mother and told her that SCOTT MULVERHILL was having sex with ASHLEY PALMER. (OK)

NOTICE:

(Penal Law - 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class "A" Misdemeanor.

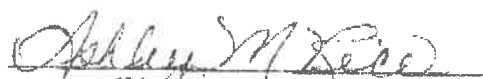
Affirmed under penalty of perjury
this 4th day of October, 2005


- or -


*Subscribed and Sworn to before me

this _____ day of _____,

Time ended: 6:00 P.M.


(Signature of Deponent)


(Witness)


INV. Kelvis R. Melo

STATE OF NEW YORK : COUNTY OF FRANKLIN
JUSTICE COURT : VILLAGE OF MALONE

The People of the State of New York
against

Scott M. Mulverhill

Defendant

SUPPORTING DEPOSITION

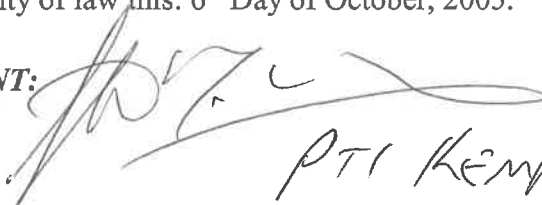
I, Stephen T. Kemp, am a police officer in the Village of Malone, New York, and by this supporting deposition make the following allegation of fact in connection with an accusatory instrument filed with this court against the above named defendant:

While working 10-06-05 on "1" shift, Ptl Merrick told me that he had a letter to deliver to Scott Mulverhill. We patrolled to Sunoco on East Main St. Once there Both Officer Merrick and I asked him how he was and he told us OK. Merrick provided Mulverhill with his Pay Stub and with the letter. Scott made a comment about "What was this letter for?" Merrick told him that Chief Reyome had wanted Merrick to deliver the letter. Mulverhill produced a letter and stated that the Chief had delivered him the letter in the bar at Malone Golf Course last night. Mulverhill stated that the Chief walked up to him and placed the letter on the bar in front of Mulverhill and told him that Merrick was attempting to deliver that letter to him. Mulverhill began talking about how he felt harassed because the Chief did this in front of some of his friends and the other people at the bar. Mulverhill also stated that he thought it was wrong because he had seen the Chief drink 3 mixed drinks and that the Chief had been in the bar for an hour and a half prior to Mulverhill entering the bar. He was mad because he felt the Chief was drunk and it was not right for the letter to be delivered at that location. He stated that he had called the Mayor about making a complaint against the Chief. He stated that he had an appointment to meet with the Mayor at 0900hrs today over this. He stated that he had been advised by his lawyer not to accept any paperwork but he would from Ptl Merrick. He stated that he was going to deliver the letter to his Lawyer, Pete Dumas, first thing this morning. Before leaving Mulverhill at Sunoco, He stated to us that he was drinking a pitcher at the bar because he had won it from Raymond Pritchard, his friend. He stated that he left his truck at the bar and that when the Chief had left the bar he was staggering and he mimicked what a drunken stagger looks like. He also had stated during the conversation that he had some witnesses names and he also stated who was with the Chief, but I do not recall the names. He stated that he had not done anything wrong. He stated that he had looked into entering a detox, but it would cost about 10,000 dollars and his insurance would not cover this. He stated he might try to sue the Chief. Before we left there was some unrelated conversation and Officer Merrick and I wished Mulverhill well.

The foregoing factual allegations are based upon personal knowledge of the complainant

False statements made in the foregoing instrument are punishable as a class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Accordingly and with notice of the foregoing, I hereby affirm that the foregoing statements of facts are true under penalty of law this: 6th Day of October, 2005.

COMPLAINANT:


PTL KEMP

SUPPORTING DEPOSITION

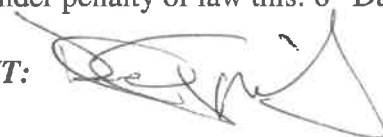
I, Ptl D.J. Merrick, am a police officer in the Village of Malone, New York, and by this supporting deposition make the following allegation of fact in connection with an accusatory instrument filed with this court against the above named defendant:

On the 6th day of ~~March~~ ^{Oct 2005} 2005 I had a conversation with Ptl Scott Mulverhill and Ptl Steve Kemp at the Sunoco in the Village of Malone. I handed Scott the letter of intent to discuss discipline and his pay stub at that time, which I have been trying to get to him since I signed for it from the Chief. During the conversation Scott stated that the Chief of Police had served him the paper last night and that he was at the golf club at the bar when he was being served. He stated that he was sitting there with some friends that he had just finished playing golf with and had a pitcher of beer for them. He stated that he had won in golf and his friend had to buy the pitcher. He related that he was there drinking it and the chief came up and put the paper on the bar and stated that this was the paper that I was trying to get to him for over a week. He related that the chief just threw it on the bar and that the chief was with a Mr. Pickering, Dan Clarke, and another gentleman at his table. He stated that he took the paper and was upset about it, but did not say anything to the chief. He related that he believed it was wrong to get the paper in a public setting and that he had called the mayor in reference to this and that it was harassment. He stated that he was going to see the mayor this morning and make a complaint against the chief and that he had called his private and union attorney about this matter. He stated that when the chief left he staggered out of the bar and left. Scott related that when he left he left his truck at the golf club and got a ride to where he was staying. Scott related that he had talked with his union attorney and was advised not to take the paperwork from anyone, but stated that he would take it from me, which I had already delivered to him before the conversation. We had some conversation about other matters and Ptl Mulverhill stated that he wanted to go into detox, but that his insurance would not pay for it because his counselor stated that he was not an alcoholic. He stated that it would cost him over 10,000 dollars to pay for it himself and that he could not do that so he was not going. We had some other conversations in relevance to how he was doing and that was the end of our discussions.

The foregoing factual allegations are based upon personal knowledge of the complainant (and upon information and belief, the sources of complainant's information and belief being,

False statements made in the foregoing instrument are punishable as a class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Accordingly and with notice of the foregoing, I hereby affirm that the foregoing statements of facts are true under penalty of law this: 6th Day of October, 2005.

COMPLAINANT:



SUPPORTING DEPOSITION (CPL §100.20)

New York State Police

STATE OF NEW YORK

LOCAL CRIMINAL COURT

THE PEOPLE OF THE STATE OF NEW YORK)

- vs.)

SCOTT M. MULVERHILL)

(Defendant(s))

COUNTY OF

FRANKLIN
TOWN of MALONE

SUPPORTING DEPOSITION

STATE OF NEW YORK

COUNTY OF FRANKLIN

TOWN of MALONE

SS.

On	DATE 09/28/05	at	TIME STARTED 11:30 a.m.	I,	FULL NAME GERALD H. Dow
			NO. & STREET 239 CR-10		CITY N. BARNOR
					STATE NY

state the following: THAT I AM EMPLOYED AS A SERGEANT AT THE FRANKLIN COUNTY JAIL. ON 09/14/05, AT ABOUT 10:15 A.M., OFFICER SCOTT MULVERHILL BROUGHT INMATE STEPHEN NESBITT TO THE JAIL. WHILE STANDING IN THE DOORWAY OF THE BOOKING OFFICE, OFFICER MULVERHILL OBSERVED INMATE ERNEST RUSSELL AND ASKED ME IF HE COULD SAY HI TO INMATE RUSSELL. I AUTHORIZED THIS REQUEST AND OFFICER MULVERHILL WALKED TOWARDS THE MALE DORMITORY AND SPOKE WITH RUSSELL. AFTER FINISHING THIS CONVERSATION, OFFICER MULVERHILL WALKED BACK TOWARDS THE BOOKING OFFICE AND ENCOUNTERED INMATE JOSHUA WOLZ WHO WAS WALKING TOWARDS THE NURSE'S OFFICE. OFFICER MULVERHILL THEN TOLD ME THAT INMATE WOLZ CALLED HIM A PEDOPHILE. I TOLD HIM I WOULD TAKE CARE OF IT AND ORDERED INMATE WOLZ INTO AN INTERVIEW ROOM. OFFICER MULVERHILL ADVISED HE WANTED TO TAKE CARE OF IT HIMSELF AND ENTERED THE INTERVIEW ROOM WITH ME. OFFICER MULVERHILL STARTED YELLING AT WOLZ. HE CALLED WOLZ A DRUG DEALER AND OTHER NAMES WHICH I DON'T REMEMBER. THIS LASTED 7-8 MINUTES. OFFICER MULVERHILL NEVER PUT HIS HANDS ON INMATE WOLZ.

NOTICE

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 28TH day of SEPTEMBER, 2005

- OR -

*Subscribed and Sworn to before me

this _____ day of _____, 19 _____.

+ Gerald H. Dow
(SIGNATURE OF DEPONENT)

(WITNESS)
[Signature]
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED 11:45 a.m.
p.m.

06-21-2005

Ashley,

Honey, I want you to know that I Love you more than Anyone in this world And more than I have ever loved anyone before. I truly never knew what Real Love was until I Fell IN Love w/you. I know you were upset this morning because I did not have your Ring And when I mentioned it. I want to give you it And would MARRY you this very moment if we could. When I bought the Ring I did not want you to know until I actually asked you, but I could not wait to tell you. Ashley - it is not the biggest diamond but it is big and if I gave you it know I feel I would get you in trouble more than I already have.

Honey, I know you Love me And you know that I Love you. I Also bought a pre-engagement Ring And today I Am asking you to accept this w/ my promise and yours that we will be engaged to be married when we can 5/12/06. I Love you and know you have already said but lets make it official.

I Love you,

Scott Mitchell Mulvihill

+

Ashley, Maria Mulvihill

NEW YORK



STATE POLICE

GOUVERNEUR BARRACKS

45 Murdock Street

Gouverneur, N.Y. 13642

Tel. (315) 287-2870

Fax. (315) 287-1049



From: TPR ADAM A. SVENSON

To: CHIEF RON REYOME

Subject: MULVERHILL TICKET

Cover sheet + 1 pages

Message: _____

NEW YORK



STATE POLICE

GOUVERNEUR BARRACKS
45 Murdock Street
Gouverneur, N.Y. 13642

Tel. (315) 287-2870
Fax. (315) 287-1049



From: TP ADAM A SWENSON

To: CHIEF DON REYOME

Subject: MULVERILL DETO

Cover sheet + 1 pages

Message: _____

UT-3.8 (7/03)

New York State • Department of Motor Vehicles

LV 231155 1

OFFICER'S
COPY

NYS POLICE AGENCY

Last Name (Defendant)

First Name

M.I.

Lic State NY	Lic Class D	Date Expires 02/11/11	Com. Veh.	Bus	Hez. Mat.
Plate Number R12927	Reg. State NY	Reg. Type FA	Color MAR	Van. Type	
Vehicle Year/Make 2004	Operator Owns Veh. Yes	Date of Offense 10/05/05	Time 10:45 AM	Arrest Type	
Weekday FR	Street Name ON	Hwy. Type ST-1	Hwy. No. 2	Location Code	

IN CITY OF ANTWERP CO. OF SHERIDAN
IN VIOLATION OF ☒ NYS V&T Law ☐ Other Law

Sec 1192 Subsec 3

Description of Violation

SPEED OVER SIGN

MPH MPH Zone

(Officer's Signature)

Officer Operating Radar

Offense Type

☒ Traffic
☐ Criminal
☐ Misdemeanor
☐ Felony

Date 10/30/05

NCIC/DRI 1442 DM/Troop B PCT/Zone 2 Sector/Station 51

Officer's Last Name (print) SWEETEN H A Badge/Shield 5254

YOU ARE HEREBY DIRECTED TO APPEAR IN THE

City

Town

Village

Address

COURT TOWN OF ANTWERP

City

State

Zip

Court Code

Date

Time

Justice Code

Charge Convicted of

Law Convicted of

V&T

Other

Date Adjudicated

Date Sentence Imposed

Sec

Sub

Disposition/Sentence

Fine

Surcharge

Notice of Correction

Bail Forfeiture

Amount \$

Date of Bail Forfeiture

Trial

Revoked

Suspended

Yes

No

Mand

Perm

Mand

Perm

Days

Years

Revoked

Suspended

Days

DWI/DWI/DRUGS - Test

Results

1. Given

2. Refused

3. No Test

1 BR

% 2 BL

% 3 UR

%

U.S. DOT#-
LV 231155

NEW YORK STATE POLICE
SUPPORTING DEPOSITION
TO SUPPORT SUPPLEMENTED TRAFFIC INFORMATION
CPL 10025 SUB 21

LOCAL CRIMINAL COURT
COUNTY OF JEFFERSON

TOWN of STATE OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

- VS -

SCOTT M. MULVERHILL

JIT MEMBER

W23-153

Tp ADAM A SWENSON

of the New York State Police, a Police Officer and is Complainant

2. alleges that the Defendant committed the following:

1. Present Charges ☒ Speeding

VTL Section 11-30 B

VTL Section

VTL Section

2. Offense Date: 09/30/05 Time: 10:15 AM C.T.N. of TIA/TWERP

3. Vehicle Year: 1996 Make: LINCOLN Color: MR

State of Registration: FL License Plate No: 3024R7

4. Camera Location of Travel by Defendant: North South East West

5. Highway Location: (Type/Name) of Course: US HIGHWAY 11

6. Defendant's Speed: 75 MPH in a 55 MPH Zone

7. Speed Measured By (Check All Applicable) ☒ Visual Estimate ☐ 77 MPH

☐ Radar (Calibrated Speedometer) ☒ Radar ☐ Moving ☐ Stationary ☐ Laser

8. Defendant's Cooperation and Commissioner of the above Offense Verified By:

☒ Direct Observation by Complainant TIA ADAM A SWENSON

☐ Police Witness (Name):

☐ Other:

9. Additional Information: MULVERHILL STATED HE WAS A MALONE VILLAGE POLICE OFFICER WHEN ASKED FOR ID HE STATED HE WAS SUSPENDED FOR DRINKING AT A GOLF TOURNAMENT

PLEASE TAKE NOTICE pursuant to Section 710.30 of the Criminal Procedure Law, that Court is Trial of the above matter the People intend to offer evidence of a Substantive made by the Defendant to a Public Servant. MULVERHILL STATED THAT HE KNEW HE WAS SPEEDING BUT THAT HE WAS NOT SURE HOW FAST HE WAS GOING.

I UNDERSTAND THAT FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW. I HAVE STATED OF NEW YORK

Affirmed Under Penalty of Perjury:

This 30th day of OCTOBER 05

Signature
New York State Police



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