

Anger Management class

Probably IN-house

Bill Collectors

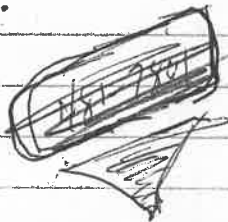
Check on Sick Time

Could be a lot worse

Don't get into Social Relations

After CARE -

Mark



3:32

I'm Sick

I'm sick - laughing

Glock in Truck - Swook up on Deer

5:39

I'm in trouble now

Been stupid here today

Had a few Beers

Drank Too much Beer

I didn't know enough to quit

If I call in sick Ronnie will fucking kill me

Man I'm in trouble, I can't go to at 10:00

Got stupid here

Tell him he'll save my fucking life

Maybe stonie will protect me

6:01

I'm Fucked - Dave + Premo

give 5 Days

Hangin' Around bunch of CO's.

Just Hang and Fucking call in sick

If they want to shit on me that's fine

(Keep Jay to tell him he had 5 hours to sober up)

You don't want to be around in about 5 minutes

cause I'm probably going to call in sick. I've fucking had it.

They can shit on me

Fucking Bullshit

Is Craig there, He's the Supervisor, I'm going to have to talk to him, cause I'm fucking Boeking sick.

I can't get anybody to work for me, so I'm going to have to Book Fucking Sick

Collette what do you want me to put on the memo?

(A) Tell I'm fucking drunk, I don't care, I've had it.

They're not going to give me Sgt. So who gives a fuck.

Collette. I'm sure he's going to hear the recording
your on line 2.

A) Good I hope he hears it.

No I'll come in to work. Fucking Bull shit

Called in later on line 4 - Booked Sick

VILLAGE OF MALONE POLICE DEPT.

2 PARK PLACE

MALONE, NEW YORK 12953

(518) 483-2424

TO: Chief Bergome

DATE: 06/23/05

ADDRESS: _____

SUBJECT: Disciplinary Action

Chief,

In reference to your letter dated June 21, 2005.

I have set myself up w/ an appointment w/ North Star Substance Abuse on July 7, 2005 3PM. This is the 1st of 3 evaluations to set up a program. They stated they will send you a letter about this and the program as well.

Thank you!

SIGNED: Det. Scott M. Mulvihill

VILLAGE OF MALONE POLICE DEPT.

2 PARK PLACE

MALONE, NEW YORK 12953

(518) 483-2424

TO: CHIEF

DATE: 5-21-05

ADDRESS: _____

SUBJECT: MAN SICK

Det. Mulvihill Booked Sick for Night Shift.

"NOT FEELING WELL" OT Required

SIGNED: Det. Scott M. Mulvihill

5-23-05

Ptl David J. Merrick

To : Chief Reyome

RE : Ptl Scott Mulverhill

Chief,

In the matter of Ptl Scott Mulverhill I would like to request a delay in the initial hearing so that we may have union representation at the hearing. If it is possible I would like to schedule it during a time that Ptl Mulverhill is working. I am in receipt of the letter and have spoken with Ptl Mulverhill in brief regarding this matter. It would be appreciated if you could reschedule this for us, and if you are able to do that I will be able to be in contact with you as to a date that union representation will be able to be present. Please contact me in regards to this issue.

Thank you in advance

A handwritten signature in dark ink, appearing to read 'D.J. Merrick', written over the typed name.

Ptl D.J. Merrick
Malone PBA Union President



POLICE DEPARTMENT

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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

State of New York
Town of Malone

County of Franklin
Village of Malone

In the Matter of Disciplinary *
Charges brought by the Village *
Of Malone against Patrolman *
Scott M. Mulverhill *

Answer admitting charges
and Consenting to Disposition

State of New York
County of Franklin

SS:

Scott M. Mulverhill, being duly sworn, deposes and says:

I, the undersigned, acknowledge that I have received a copy of the set charges preferred against me by the Village of Malone and set forth in a letter to me from Chief of Police, Ronald E. Reyome, dated August 4, 2005.

I waive my rights to a full hearing on the charges and acknowledge the charges to be true.

I understand that by entering this Answer admitting the charges, I shall receive a letter of reprimand that will become a permanent record of my personnel file and a ten-day suspension without pay. I have also agreed to under go and complete a substance abuse treatment program that will be outlined by North Star Behavioral Health Services.

Scott M. Mulverhill 8/04/05
Scott M. Mulverhill Date

Ronald E. Reyome 8/4/05
Chief Ronald E. Reyome Date

Witness: St. John



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

August 4, 2005

Scott M. Mulverhill
P.O. Box 603
Malone, NY 12953

RE: Disciplinary Charges

Ptl. Scott Mulverhill,

In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York, you are hereby notified that the following charges are preferred against you:

CHARGES

Charge 1

You have violated Article 6 of the Department's Rules of Conduct, specifically Article 6.2.4. 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.

Specification 1

On May 21, 2005, you were scheduled to work the 2000 to 0400 tour of duty. You failed to report for duty.

Charge 2

You have violated Article 10 of the Department's Rules of Conduct specifically Article 10.1.7. Being absent without proper authorization.

Specification 2

On May 21, 2005, you called in sick for your night shift tour of duty. You advised Officer Collette to put down that you were not feeling well. You were calling from a bar and admitted that the real reason you were unable to come to work was because you were drunk.

Charge 3

You have violated Article 10 of the Department's Rules of Conduct, specifically Article 10.1.13. Intoxication whether on or off duty.

Specification 3

On May 21, 2005 you called in sick for your night shift tour of duty. The reason for this was because you were in an intoxicated condition.



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

You are allowed until the 12th day of August 2005, within which you may make and file your answer, in writing, to these charges. Such answer should reach the office of the undersigned, at 14 Elm Street, Malone, New York at or before 5:00 o'clock in the afternoon on said 12th day of August 2005. You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against these charges. Such hearing will be held at 6:00pm in the evening on August 25th 2005 on the first floor of the Village Offices, at 14 Elm Street, Malone, New York. The hearing will be conducted by a hearing officer who will be duly designated for that purpose in accordance with Section 75 of the Civil Service Law of the State of New York.

If you are found guilty of the above listed charges, the penalty, or punishment imposed on you, may consist of either dismissal from service, demotion in grade and title, suspension without pay for a period not exceeding two months, a fine not exceeding \$100.00, or a reprimand.

All further notices and communications addressed to you in connection with these charges will be mailed to your latest address on record in the personnel records of this village, which is P.O. Box 603, Malone, New York 12953, unless you request in writing that the same be sent to you at a different address.

Sincerely,

Brent Stewart
Mayor Village of Malone



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

To: Ptl. Scott M. Mulverhill
From: Chief Ronald E. Reyome
Date: August 4, 2005
Re: Letter of Reprimand

On May 21, 2005, you booked sick for your scheduled tour of duty. (Night Shift) You called from a bar, admittedly in an intoxicated condition and this was the real reason why you were unable to come to work. You have been disciplined and received counseling for abuse of sick time in the past. Disciplinary charges have been filed against you on this most recent incident and you have admitted to the charges and have accepted the penalties, which includes this Letter of Reprimand.

Your actions on the night in question were totally unacceptable and unprofessional. You Were negligent in your duties causing another officer to be forced to work your shift. If this type of behavior occurs in the future you will be facing more severe disciplinary penalties.

This letter will remain as a permanent part of your personnel file.


Chief Ronald E. Reyome



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

To: Patrolman Scott Mulverhill

From: Chief Ronald Reyome

Date : June 21, 2005

Re: Disciplinary Action

In our last meeting in regards to your possible Disciplinary charges being filed against you, it was agreed to that you are to come with me with me type of program that you will be completing in regards to these charges. As of this date we have had only one conversation concerning this and as of yet I have not seen anything on what you are planning on doing.

I need you to type up what you are planning on doing, including who you are going to be working with and how long this program will be. I need this to me by June 27, 2005. If not I will go forward with the charges and set up a hearing. I have been patiently waiting, but the time has come to resolve this issue.


Ronald E. Reyome
Chief of Police

Duties and Rules of Conduct

Section

- 6.2.1 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
- 6.2.4 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
- 10.1 A member of the Department shall not violate either by commission or omission any of the following acts:
 - 10.1.2 Failure to perform a duty
 - 10.1.7 Being absent from duty without proper authorization
 - 10.1.9 Incompetency or inefficiency in the performance of duty
 - 10.1.13 Intoxication whether on or off duty
 - 10.1.20 Knowingly make a false report, written or oral
 - 10.1.27 Publicly criticizing the official actions of a department member
- 11.3 A member of the Force or Department shall be fit for duty and subject to duty at all times except when on sick duty

Sick time used after counseling session with Asst. Chief Marlow.

April 18, 2004 – Sunday afternoon shift

May 8, 2004 – Saturday night shift

September 8, 2004 – Wed. night shift (after 4 day break)

October 10, 2004 – Saturday night shift

January 14, 2005 – Friday night shift

February 18, 2005 – Friday night shift (last day before 4 day break)

May 3, 2005 – afternoon shift (last day before 3 day break)

May 7, 2005 – Saturday morning (after 3 day break) Was seen at the bar at the Malone Country Club, drinking beer, on May 6th, 2005 at 2000hrs. Called in a 2100hrs. Advised by other witness that he did not leave the bar until 2130hrs.

May 21, 2005 – Saturday night shift. (Called in admitted that he was drinking and wanted someone to work for him. Could not find anyone.)

9 -

6 - night shift

4 - 3 - Day on 4 Day Break

Sick time used after counseling session with Asst. Chief Marlow.

April 18, 2004 – Sunday afternoon shift

May 8, 2004 – Saturday night shift

September 8, 2004 – Wed. night shift (after 4 day break)

October 10, 2004 – Saturday night shift

January 14, 2005 – Friday night shift

February 18, 2005 – Friday night shift (last day before 4 day break)

May 3, 2005 – afternoon shift (last day before 3 day break)

May 7, 2005 – Saturday morning (after 3 day break) Was seen at the bar at the Malone Country Club, drinking beer, on May 6th, 2005 at 2000hrs. Called in a 2100hrs. Advised by other witness that he did not leave the bar until 2130hrs.

May 21, 2005 – Saturday night shift. (Called in admitted that he was drinking and wanted someone to work for him. Could not find anyone.)

Prior to October 9, 2003 counseling session with Asst. Chief Marlow

From March 1, 2001 to October 2, 2003 Ptl. Mulverhill took a total of 14 sick days.
10 of which were either prior to or immediately following a 3 or 4 day break.
1 other was on New Years Eve.

March 01, 2001 -- Thursday morning shift

May 4, 2001 -- Friday morning shift (1st day after a Holiday and before 4 day break)

September 26, 2001 -- Wed. afternoon shift

December 15, 2001 -- Saturday night shift (1st day back after 3 day break)

January 31, 2002 -- Thursday night shift (New Years Eve)

March 9 & 10, 2002 -- Saturday and Sunday afternoon (1st & 2nd day after 3 day break)

June 1, 2002 -- Saturday night shift (1st day back after a 3 day break)

November 12, 2002 -- Tuesday night shift (Last day before 3 day break)

February 1, 2003 -- Wed. afternoon shift (1st day back after a 4 day break)

April 2, 2003 -- Wed. afternoon shift (1st day back after a 4 day break)

June 8, 2003 -- Sunday afternoon shift (1st day after a Holiday Leave)

July 28, 2003 -- Monday night shift

October 2, 2003 -- Thursday night shift (day prior to Personal Leave and then 4 day break)

October 9, 2003 Counseled by Asst. Chief Marlow

NORTH STAR Behavioral Health Services

Substance Abuse Services

24 Fourth Street, Suite 3
Malone, New York 12953
Voice 518-483-8980
Fax 518-483-4830

17 Main Street
Saranac Lake, New York 12983
Voice 518-891-2467
Fax 518-891-2621

August 15, 2005

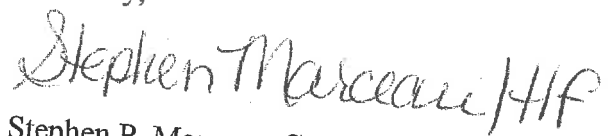
Scott Mulverhill
P.O. Box 603
Malone, NY 12953

Dear Mr. Mulverhill:

You have completed your evaluation. Based on the information you have provided our treatment team is recommending outpatient treatment.

If you have any questions, please call.

Sincerely,

A handwritten signature in dark ink that reads "Stephen Marceau/HIF". The signature is fluid and cursive, with the last name "Marceau" being more prominent.

Stephen P. Marceau, CASAC
Chemical Dependency Counselor

SPM/tlf
Pc: Ronald Reyome, Chief

**NORTH STAR BEHAVIORAL HEALTH SERVICES
SUBSTANCE ABUSE SERVICES
24 FOURTH STREET, SUITE 3
MALONE, NY 12953**

**NOTE: THIS FORM MUST BE "STAPLED" TO ALL DISCLOSURES OF
INFORMATION CONCERNING THE ALCOHOLISM AND/OR CHEMICALLY
DEPENDENT PATIENT.**

**PROHIBITION ON REDISCLOSURE
OF INFORMATION CONCERNING
ALCOHOLISM AND/OR CHEMICALLY DEPENDENT PATIENT**

**(To Accompany Disclosure of Information made with Consent of Alcoholism and/or
Chemically Dependent Patient)**

**This notice accompanies a disclosure of information concerning an
Alcoholism and/or Chemically Dependent patient, made to you with the
consent of such a patient. This information has been disclosed to you from
records whose Confidentiality is protected by Federal Law Title 42 of the
Code of Federal Regulations governing the Confidentiality of Alcoholism
and/or Chemically Dependent patient records prohibiting you from making
any future disclosure of this information without the specific written consent
of the person to whom it pertains or as otherwise permitted by such
regulations. A general authorization for the release of medical or other
information is NOT sufficient for this purpose.**

NORTH STAR Behavioral Health Services

Substance Abuse Services

24 Fourth Street, Suite 3
Malone, New York 12953
Voice 518-483-8980
Fax 518-483-4830

17 Main Street
Saranac Lake, New York 12983
Voice 518-891-2467
Fax 518-891-2621

June 24, 2005

Scott Mulverhill
P.O. Box 603
Malone, NY 12953

Dear Mr. Mulverhill:

You have been scheduled to start an evaluation on July 7, 2005 at 3:00 p.m.. I am unable to meet with you at that time. I am taking the liberty of rescheduling you for July 14, 2005 at 3:00 p.m..

If you have any questions or you are unable to keep this appointment, please call.

Sincerely,



Stephen P. Marceau, CASAC
Chemical Dependency Counselor

SPM/tlf
Pc: Ronald Reyome, Chief

NORTH STAR Behavioral Health Services

Substance Abuse Services

24 Fourth Street, Suite 3
Malone, New York 12953
Voice 518-483-8980
Fax 518-483-4830

17 Main Street
Saranac Lake, New York 12983
Voice 518-891-2467
Fax 518-891-2621

June 24, 2005

Scott Mulverhill
P.O. Box 603
Malone, NY 12953

Dear Scott:

An appointment has been scheduled for you to come in for an evaluation on **Thursday, July 7, 2005 at 3:00 p.m.** As a reminder, you need to show up 10-15 minutes early to go over your financial information and fill out some forms. You are to bring any insurance information or documentation necessary for us to bill. If you do not have any insurance coverage, you must bring in the \$75 to cover the cost of the evaluation. If you do not have or are unable to obtain this information, we ask that you call and reschedule for a later time. If you are in the process of applying for Medicaid, you must bring in any information, including your caseworker's name to verify this.

Please find enclosed HIPAA Compliance and Explanation of Services/Rights paperwork for you to read over prior to coming in for your evaluation appointment. Please remember to bring these in when you come in for that appointment. As a reminder, your appointment will be 60 minutes. If you have any questions, please feel free to contact me.

Sincerely,



Stephen P. Marceau, CASAC
Chemical Dependency Counselor

SPM/dal
Pc: Ronald Reyome, Chief

NORTH STAR Behavioral Health Services

Substance Abuse Services

24 Fourth Street, Suite 3
Malone, New York 12953
Voice 518-483-8980
Fax 518-483-4830

17 Main Street
Saranac Lake, New York 12983
Voice 518-891-2467
Fax 518-891-2621

September 26, 2005

Scott Mulverhill
P.O. Box 603
Malone, NY 12953

Dear Scott:

There will an **"Orientation to Treatment"** group meeting on **Tuesday, October 4, 2005 from 4:00 p.m. to 5:30 p.m.** This is a mandatory, **one-time** for all new clients beginning treatment at our agency to discuss our policy, procedures and the treatment process. Please try to be here about **10 minutes** before group starts.

I look forward to seeing you at that time.

Sincerely,

A handwritten signature in dark ink that reads "Chip Bomyea /HH". The signature is fluid and cursive, with the initials "HH" at the end.

Chip Bomyea, MSE, CASAC
Chemical Dependency Director

CB/tlf
Pc: Ronald Reyome, Chief

MALONE POLICE DEPARTMENT
INCIDENT REPORT

COMPLAINANT: Daniel Shea
ADDRESS: Rt. 95 Bombay, NY
PHONE: 358-2397
RECEIVED BY: CFL

CASE#:

LOG#: 2492

DATE/TIME: 01/12/96 0210hrs

OFFENSE: Special Report
LOCATION: Cornwall, ONT
ASSIGNED TO: A/C Moll
SUSPECT(S):

DATE/TIME: 01/12/96 0056hrs

DETAILS: Received a call from the above stating he requested a favor in locating Scott Mulverhill as Scott had taken his vehicle, which is a 1987 Black Cadillac bearing Ny tags C5474LW from a residence in Cornwall where they had a get together. He stated at about 9:30pm, He gave Scott permission to take his vehicle to the US customs to drop off Kirk Taylor and he returned back to the private residence. He stated they were there for a while longer and he noticed Scott was gone and when he went outside, he saw that his vehicle was also missing. He stated he did not want to make an official complaint, but wanted us to get the keys from Scott and if possible, bring his vehicle to the station and secure same. Checked Scott's residence and he was not home. Checked throughout the rest of the shift and did not locate Scott or the vehicle. TOT A/C Moll

POLICE PERSONNEL RECORD

Name Mulverhill, Scott M.

Address:

Marital Status

No. Dependants

Date of Birth Mo. 03 Day 03 Year 67

Saranac Lake 09-89

Date of Appointment Malone 06-29-90

Phone _____

Civil Service Exam Passed on

Promotional Exam Passed on

Service Pistol Serial No.

Date	Personal Data	Date	Personal Data
06-29-90	Transfer from Saranac Lake	04-17-00	On duty ankle injury
12-22-90	Completed Basic Course	09-12-00	Letter of thanks from Clarence Nason
12-20-90	Radar School Cert.	10-26-00	Counseling memo from A/C
12-31-90	Commended by Sgt. Ritchie (burglary)	11-03-00	No show on assisting physical fitness training
12-12-92	Counsel session with Sgt. Ritchie for Insubordination	12-21-00	Oral counseling from Chief on attitude
05-19-93	Completed Basic Finger Print Course	12-23-00	Injury to hand while on duty
09-22-93	Written reprimand for abusive sick leave*removed after 1 year		
11-27-93	P.D. Accident in St. Regis Falls NYSP Issued ticket	12-14-01	Threat assessment training
01-01-94	Evaluation-----STANDARD----		
01-25-94	Commended by Thomas LaRocque		
05-20-94	Commended by Ass't Chief over Domestic Case		
08-08-94	Letter of thanks from Tupper Lake P.D.		
01-01-94	Evaluation		
01-12-96	Comp. from Trp. Shea---missing private vehicle		
10-24-96	Drug interdiction training		
10-29-96	Highway Interdiction training		
11-19-97	Letter of thanks from Ed Howard		
02-11-97	Suspended 5 days for two separate charges		
05-21-99	Bike patrol school		
06-07-99	Commendation from Sgt. Marlow		
03-17-00	Data Master cert.		

POLICE DEPT.
VILLAGE OF MALONE

2 Park Place • Malone, New York 12953 • (518) 483-2424 • FAX (518) 483-2426

James E. Phillips
Chief of Police

Vernon N. Marlow Jr.
Assistant Chief

MALONE POLICE DEPT. CHAIN OF COMMAND

UNLESS OTHERWISE DIRECTED BY THE CHIEF OF POLICE THE CHAIN OF COMMAND PROCEEDURE
IS AS FOLLOWS:

THE IMMEDIATE SUPERVISOR FOR THE RANK OF PATROLMAN WILL BE THE SHIFT SERGEANT, IF
THERE IS NO SERGEANT WORKING THE NEXT ON-COMING SERGEANT WILL BE THE SGT YOU
CONTACT. IF THE PROBLEM INVOLVES THAT PARTICULAR SERGEANT YOU WILL CONTACT THE SERGEANT
FROM THE PREVIOUS SHIFT.

THE IMMEDIATE SUPERVISOR FOR THE RANK OF SERGEANT WILL BE THE ASSISTANT CHIEF.

THE ASSISTANT CHIEF IS ANSWERABLE TO THE CHIEF OF POLICE.

AS PER DEPARTMENT RULES AND REGULATIONS THE SHIFT SUPERVISOR IS IN CHARGE OF ALL
SUBORDINATE OFFICERS ASSIGNED TO THE SHIFT.

EVERY ATTEMPT WILL BE MADE TO SOLVE PROBLEMS, BE THEY PERSONAL OR OF A POLICE NATURE
BEFORE CONTACTING THE NEXT PERSON IN THE CHAIN OF COMMAND.

RULES OF CONDUCT;

SEC. 10.1.4 INSUBORDINATION OR DISRESPECT TOWARDS A SUPERIOR OFFICER, IE.
 CRITICIZING ORDERS OR POLICIES OF SUPERVISOR.

SEC. 9.9 FAILURE TO FOLLOW THE DEPARTMENTAL CHAIN OF COMMAND.

Subordinate has shown disrespect and criticism of a superior officer in that he has strenuously questioned the orders of his supervisor in the assignments made as to who would work desk duty, and the assignment of officers to stationary radar duty. 12/12/92 subordinate showed disrespect by voicing his personal disagreement with the above orders in the presence of other patrolman.

12/12/92 Subordinate circumvented the Departmental chain of command by telephoning directly the chief of Police (who was off duty) to bring into question an assignment he was given by his shift supervisor and bringing to question the integrity of that supervisor.

12/13/92 subordinate again circumvented departmental Chain of Command by telephoning the Chief of Police (who was off duty) in an attempt to change his work schedule, without prior contacting his on duty Supervisor.

Subordinate has in the past criticized a superior officer by voicing his personal disagreement with orders and policies of that supervisor.



POLICE DEPARTMENT

Village of Malone

2 Park Place

Malone, New York 12953-1601

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

James E. Phillips
Chief of Police

State of New York
Town of Malone

County of Franklin
Village of Malone

In the Matter of Disciplinary *
Charges Brought by the Village *
of Malone against Patrolman *
Scott M. Mulverhill *

Answer admitting
charges and
Consenting to
Disposition

State of New York
County of Franklin

SS:

Scott M. Mulverhill, being duly sworn, deposes and says:

I, the undersigned, acknowledge that I have received a copy of the set of charges preferred against me by the Village of Malone and set forth in a letter to me from Mayor Joyce Tavernier dated February 6th 1997.

I waive my rights to a full hearing on the charges and acknowledge the charges being true.

I understand that by entering this Answer admitting the charges I shall receive a letter of reprimand that will become a permanent record of my personnel file, five day suspension without pay and mandatory alcohol counseling.

JAMES E. PHILLIPS
NOTARY PUBLIC IN THE STATE OF NEW YORK
NEW YORK STATE NO. 4830131
MY COMMISSION EXPIRES MAY 16, 1998

Scott M. Mulverhill
Scott M. Mulverhill

Subscribed and sworn to
before me this 11 day
of February 1997.

James E. Phillips
Notary Public

Village of Malone New York

16 Elm Street
MALONE, NEW YORK 12953

Telephone: (518) 483-4570

Scott M. Mulverhill
Constable St. Rd.
Malone, N.Y. 12953

February 6, 1997

Re: Disciplinary Charges

Dear Mr. Mulverhill,

In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York, you are hereby notified that the following charges are preferred against you;

CHARGES

Charge 1

You have violated Article 10 of the Department's rules of conduct, specifically Article 10.1.7. Being absent without proper authorization;

Specification 1

On Feb. 2nd, 1997 at 12:40 am. you advised Ass't Chief Moll that you were unable to report for morning shift duty due to the flu. Just prior to calling, you were at the Jammer's Bar and your stated reasons for using sick leave was not accurate.

Charge 2

You have violated Article 10.1.1 conduct which brings discredit upon the department.

Specification 2

On Feb. 1st or into the early hours of Feb. 2nd, 1997, while at the Jammer's Bar located on Main St., Malone, N.Y. Scott M. Mulverhill did punch a window breaking same and also damaged a bathroom door.

Village of Malone New York

16 Elm Street
MALONE, NEW YORK 12953

Telephone: (518) 483-4570

You are allowed until the 10th day of March 1997, within which you may make and file your answer, in writing, to these charges. Such answer should reach the office of the undersigned, at 14 Elm St., Malone, N.Y. at or before 5:00 o'clock in the afternoon on said 10th day of March 1997. You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against these charges. Such hearing will be held at 6:00 pm. in the evening on March 31st, 1997 on the first floor of the Village Offices, at 14 Elm St. Malone, N.Y. The hearing will be conducted by a hearing officer who will be duly designated for that purpose in accordance with Section 75 of the Civil Service Law of the State of New York.

If you are found guilty of the above listed charges, the penalty, or punishment imposed on you, may consist of either dismissal from service, demotion in grade and title, suspension without pay for a period not exceeding two months, a fine not exceeding \$100.00, or a reprimand.

All further notices and communications addressed to you in connection with these charges will be mailed to your latest address on record in the personnel records of this village, which is Const. St. Rd. , Malone, N.Y. unless you request in writing that the same be sent to you at a different address.

Very truly yours,



Joyce Tavernier
Mayor Village of Malone

I, SCOTT M. MULVERHILL AM EMPLOYED BY THE VILLAGE OF MALONE AS A POLICE OFFICER AND SUBMIT THE FOLLOWING INFORMATION FOR WHAT EVER PURPOSE IT MAY SERVE. I UNDERSTAND MY CIVIL SERVICE RIGHTS UNDER SECTION 75 SUB. 2 TO HAVE REPRESENTATION BY MY CERTIFIED RECOGNIZED EMPLOYEE ORGANIZATION AND THAT I WISH TO WAIVE THAT RIGHT.

I WOULD LIKE TO STATE THAT ON 02/01/97 AT ABOUT 10:00 PM I WENT TO JAMMERS ON EAST MAIN STREET TO SPEAK WITH A FEMALE FRIEND WHO WAS AT THE BAR. I HAVE BEEN SEEING THIS FRIEND FOR SOME TIME NOW AND RECENTLY HER AND I HAVE BEEN HAVING SOME PROBLEMS. WHILE AT THE BAR I ATTEMPTED TO SPEAK WITH HER AND SHE REFUSED TO SPEAK WITH ME. I BECAME UPSET WITH THIS AND WALKED OUTSIDE THE BUILDING. ONCE OUTSIDE I OBSERVED THIS PERSON LEAVE AND AT THAT TIME I TURNED AROUND AND SWUNG AT THE OUTSIDE WALL OF THE BUILDING. IN DOING THIS I STRUCK A WINDOW THAT IS PART OF THE WALL BREAKING SAME. I THEN WALKED INTO THE BAR AND WENT TO THE BATHROOM AS THERE WAS A SMALL CUT TO MY HAND AND I WANTED TO TAKE CARE OF IT. AS I ATTEMPTED TO OPEN THE DOOR TO THE BATHROOM IT SEEMED TO BE STUCK AND I THEN STRUCK IT WITH MY HAND CAUSING DAMAGE TO THAT AS WELL. AFTER THIS I THEN SPOKE WITH JEFF LAVOIE WHO IS THE OWNER OF THE BUILDING AND ADVISED HIM OF WHAT I HAD DONE AND HE STATED THAT HE WISHED TO HAVE ME PAY FOR THE DAMAGES I HAD CAUSED. I APOLOGIZED TO JEFF FOR WHAT I HAD DONE AND MY CONDUCT AND ADVISED HIM THAT I WOULD TAKE CARE OF THE DAMAGES AND HE AGREED TO HAVE THE WINDOW AND DOOR REPLACED AND I WOULD PAY FOR SAME.

AFTER SPEAKING WITH JEFF I THEN WENT TO A PHONE AND CALLED A/C MOLL AT OUR STATION AND ADVISED HIM THAT I WAS SICK AND WOULD NOT BE IN FOR MY TOUR OF DUTY AT 0400 HRS. ON 02/02/97 I AGAIN CONTACTED JEFF LAVOIE AND AGAIN APOLOGIZED FOR MY CONDUCT AND ADVISED HIM THAT I WOULD TAKE CARE OF THE DAMAGES I CAUSED AND HE AGREED. I THEN WENT TO CHIEF PHILLIPS RESIDENCE TO INFORM HIM OF WHAT HAD TAKEN PLACE AND THAT I KNEW THAT WHAT I DID WAS WRONG AND WANTED TO TAKE CARE OF THIS SITUATION WITHOUT HAVING TO HAVE HIM HEAR ABOUT IT FROM OTHER PERSONS.

I HAVE READ THIS STATEMENT CONSISTING OF 1 PAGE AND THE FACTS CONTAINED HEREIN ARE TRUE AND CORRECT. I HAVE ALSO BEEN ADVISED OF MY RIGHTS UNDER SECTION 75 SUB. 2 OF THE CIVIL SERVICE LAW. I UNDERSTAND THAT MAKING A FALSE WRITTEN STATEMENT IS ALSO 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 FEBRUARY, 1997
SIGNED: *PH. Scott M. Mulverhill*

WITNESS:

**MALONE POLICE DEPARTMENT
INCIDENT REPORT**

COMPLAINANT: Tom Walbridge
ADDRESS: 58 Rennie Street
PHONE: 483-8161
RECEIVED: RER
CASE# 32-A-31
LOG: 1151
DATE/TIME: 08/20/01 0740hrs
OFFENSE: Personnel Complaint
LOCATION: Franklin Cty Fair Grounds
ASSIGNED: A/C Reyome
SUSPECT: Ptl. Scott Mulverhill
DATE/TIME:

NYSPIN ☐ YES ☐ NO
JUVENILE ENTRY ☐ YES ☐ NO

The complainant called and stated that he is employed by the Franklin County Sheriff's Department and he was told that Ptl. Mulverhill was slandering his name to two other Deputies while at the Fairgrounds. The two Deputies were Allen Cooley and Bob Fountain.

Apparently while these two were working the Fair detail, Ptl. Mulverhill spoke with them and told them that the complainant was the biggest promoter of Prison Contraband in the jail.

The complainant is very upset by this and would like to Officer Mulverhill spoken to about his actions. RER

8/21/01

Made contact with Deputy Robert Fountain and inquired as to what was said. He stated that he was walking the Fair Grounds with Deputy Cooley and they met up with Ptl. Mulverhill. He was in plain clothes and off duty. They were all talking and some how the discussion turned to prison contraband. This is when Ptl. Mulverhill stated that he heard that Deputy Walbridge was the biggest promoter of contraband at the jail. (See statement for further details.)

Unable to speak with Deputy Cooley at this time.

8/27/01

Made contact with Deputy Cooley and he basically stated that same as Deputy Fountain. (See statement for details.)

8/28/01

Interview Ptl. Mulverhill and he admitted to the statement and that all he told the deputies that he heard rumors that Walbridge brought contraband into the jail. I advised him that this was not professional and that if he had any allegations about a fellow law enforcement officers he should go through proper channels.

9/28/01

Ptl. Mulverhill was issued a Counseling Memorandum in regards to his actions. All paperwork attached to C/R and given to Chief Moll for review.

Closed RER



POLICE DEPARTMENT
Village of Malone
2 Park Place
Malone, New York 12953-1601

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

Chief Gerald K. Moll
Chief of Police

To: Patrolman Scott Mulverhill

From: Ass't Chief Ronald E. Reyome

Date: September 28th, 2001

Re: Personnel Complaint 32-A-31

COUNSELING MEMORANDUM

In regards to the personnel complainant filed against used by Deputy Tom Walbridge you have been advised that your accusations and statements made about Deputy Walbridge where totally unprofessional and should have not been made.

Whether an Officer is off or on duty our standards are higher than a normal citizen and spreading innuendoes or rumors about individuals is not only unprofessional but may cause yourself and the Department to become liable in any possible litigation.

In this particular case you made allegations about a Law Enforcement Officer to his fellow Officers, which not only tarnished his reputation but may have cause him employment repercussions.

If you feel that you have information to support these allegations then the proper channels should be followed. (In this case, contact should have been made with Sheriff Pelky.)

In the future you are to refrain from making such comments as disciplinary actions will be taken

A handwritten signature in cursive script, appearing to read "Ronald E. Reyome".
Ass't Chief Ronald E. Reyome

STATE OF NEW YORK
COUNTY OF FRANK

VOLUNTARY STATEMENT

PAGE 1

DATE 8/20/01

PLACE [REDACTED]

TIME STARTED 10:45 AM

I, Robert D. Fountain

am 30 years of age, born on [REDACTED]

My address is [REDACTED]

My occupation is Deputy

and degree of education is 12th

On August 9th, 2001 I was assigned to the Fair Detail with Deputy Allen Corley. Somewhere around 8:00 PM we were walking near the beer tent at the Fairgrounds. While we were walking we met up with OFFICER Scott Mulverhill. Scott was off duty and in plain clothes.

I'm not sure of how the conversation started, but Scott told us that Wally (Tom Walbridge) was the biggest promoter of CONTRABAND at the Jail, that we had. The wasn't much more said about it.

Wally (Tom Walbridge) is A Deputy at the Jail.

I have read this statement (had this statement read to me) consisting of _____ 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.

witness: [Signature]

witness: _____

*Affirmed under penalty of law this

21st day of August, 2001

Signed: [Signature]

Page 1 of 1 page(s)

Time ended: 10:55 AM

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF: Franklin

PAGE: 1
TIME STARTED: 1100

DATE: 08/23/01

PLACE: Franklin County Public Safety Building

I, Alan Cooley

MY ADDRESS IS:

MY OCCUPATION IS: Correction officer

AND EDUCATION IS: 14yrs

I HAVE BEEN DULY WARNED BY: HIM(HER)SELF AS WHO HAS IDENTIFIED THAT I DO NOT HAVE TO MAKE ANY STATEMENT AT ALL, AND THAT ANY STATEMENT I MAKE MAY BE USED IN EVIDENCE AGAINST ME IN A COURT OF LAW, AND THAT I HAVE THE RIGHT TO TALK TO A LAWYER FOR ADVICE BEFORE MAKING THAT STATEMENT AND TO HAVE MY LAWYER PRESENT WITH ME DURING THE QUESTIONING. IF I CANNOT AFFORD A LAWYER AND WISH TO HAVE ONE, ONE WILL BE APPOINTED FOR ME. WITHOUT FEAR OR THREAT OF PHYSICAL HARM UPON ME OR ANOTHER PERSON, I FREELY VOLUNTEER THE FOLLOWING STATEMENT TO THE AFORESAID PERSON. On August 9th at approximately 1700 hrs myself and Dep. Fountain were working the fair detail at the fair grounds. While on duty we stopped at the beer stand to talk to Officer Scott Mulverhill. Mulverhill made a comment that he heard that Officer Thomas Walbridge was a source of contraband coming in the jail. End of statement.

I HAVE READ THIS STATEMENT (HAD THIS STATEMENT READ TO ME) CONSISTING OF 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
23rd DAY OF August 19-2001

SIGNED:

Alan Cooley

WITNESS:

H. D. B.

WITNESS:

PAGE

OF PAGE(S)
TIME ENDED:

1105



POLICE DEPARTMENT
Village of Malone
2 Park Place
Malone, New York 12953-1601

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

Chief Gerald K. Moll
Chief of Police

Counseling Memorandum

To: Patrolman Scott Mulverhill

From: Ass't Chief Ronald E. Reyome

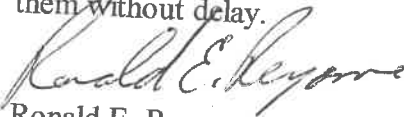
Date: October 26th, 2000

Re: John Y. Bower arrest AUO 3rd 08/19/00
Order for Supporting Deposition

In reference to the above, I have received your response as to why you neglected to submit a Supporting Deposition. You basically stated that you simply forgot about the request. This is not acceptable.

Your inaction on this matter has allowed an individual to walk away from charges and he will not be held accountable for his actions.

Our job does not end when an arrest is made. We need to see cases through the complete Judicial process. In the future, when this type of request or similar request are made. You are to complete them without delay.


Ronald E. Reyome
Ass't Chief of Police

VILLAGE OF MALONE POLICE DEPT.

2 PARK PLACE
MALONE, NEW YORK 12953
(518) 483-2424

TO: A/C Reyome

ADDRESS: MVPD

DATE: 10/19/2000

SUBJECT: Response to letter dated 10/18/2000
Ref. to supporting Dep. John Bower

A/C Reyome,

In reference to your letter dated 10/18/00 in regards to John Bower supporting deposition. I recall that I may have picked up the request at court but I have no explainantio for not doing same. I put the order in my locker and forgot same. As far as the arrest report I can not say for sure but I believe I may have tried to put same in SJS but the computer,as it has many times before,would not allow me in the system.

SIGNED: Ptl. Scott (w) Mulvihill

Judge Smrays called today and told me that an individual because you failed to provide a copy of the September 18th, 2000.

I need to know why a Supporting Deposition was not in a timely fashion. I also need to know why you did not check his arrest file and found nothing.

I will be meeting with you on the 20th at 10:00 am. I will be there on time.

A/C Ronald E. Reyome

To: Patrolman Scott Mulverhill

From: A/C Ronald E. Reyome

Date: October 18th, 2000

RE: John Y. Bower arrest AUO 3rd 08/19/00
Order for Supporting Deposition

Judge Simays called today and advised us that he was dismissing the charges on the above individual because you failed to provide him with a Supporting Deposition that he requested on September 18th, 2000.

I need to know why a Supporting Deposition was not completed and sent over to Justice Court in a timely fashion. I also need to know why an arrest report was not completed on this subject as I checked his arrest file and found nothing pertaining to this arrest.

I will be meeting with you on the 19th to discuss this matter and will expect your reply at this time.

A/C Ronald E. Reyome

Malone Village Court
14 Elm Street
Malone, NY 12953

Andrew E. Simays
Village Justice

(518) 483-5210

September 18, 2000

To:

MALONE VILLAGE POLICE
2 PARK PLACE
Malone, NY 12953

Return To:



Order for Supporting Deposition

Request Date: 09/18/2000

Defendant: BOWER, JOHN Y.

Officer	Ticket #:	Date	Statute/Section	Description
MULVERHILL	LJ413200 4	08/19/00	VTL 511.1A	A.U.O.-3rd

Pursuant to CPL 100.25(2) you are ordered to provide a supporting deposition for the above stated case. The defendant or attorney whose name and address appears above must receive your deposition within 30 days of the defendant's request date. A second copy and the Affidavit of Service is to be filed with the Court. If service is by mail, so state on the affidavit.

Failure to comply will result in a dismissal of the charge pursuant to 100.40(2) of the CPL.

Andrew E. Simays/Justice

10/18/2000

*Dismiss/no supporting
dep as requested*

*For Stokes
accj 10-18-00*

MALONE VILLAGE POLICE

"Star of the North"

2 Park Place
Malone, N.Y. 12953

Ronald E. Reyome
Acting Chief of Police

(518)483-2424
(518)483-2426
mpdchief@slc.com

State of New York
Town of Malone

County of Franklin
Village of Malone

In the Matter of Disciplinary *
Charges Brought by the Village *
of Malone against Patrolman *
Scott M. Mulverhill *

Answer admitting charges
and Consenting to Disposition

State of New York
County of Franklin

SS:

Scott M. Mulverhill, being duly sworn, deposes and says:

I, the undersigned, acknowledge that I have received a copy of the set of charges preferred against me by the Village of Malone and set forth in a letter to me from Acting Chief of Police Ronald E. Reyome, dated November 25th, 2002.

I waive my rights to a full hearing on the charges and acknowledge the charges to be true.

I understand that by entering this Answer admitting the charges I shall receive a letter of reprimand that will become a permanent record of my personnel file, ten day suspension without pay, two week loss of vacation time and I agree that I will give up my hunting privileges for the remainder of the year 2002 and for the years 2003 and 2004.

Scott M. Mulverhill 11/25/02
Scott M. Mulverhill Date

Ronald E. Reyome
Acting Chief Ronald E. Reyome

Witness: _____

Scott M. Mulverhill
P.O. Box 603
Malone, NY 12953

November 25, 2002

Re: Disciplinary Charges

Ptl. Scott Mulverhill,

In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York, you are hereby notified that the following charges are preferred against you;

CHARGES

Charge 1

You have violated Article 6 of the Department's Rule of Conduct, specifically Article 6.2.34. Obey the laws and ordinances which he is obligated to enforce.

Specification 1

On November 13th, 2002, you were in violation of section 11-0931 sub 4a1 of the Environmental Conservation Law (Shooting from a public highway) and section 11-0901 sub 4(b)2 of the Environmental Conservation Law. (Hunting deer with artificial light)

Charge 2

You have violated Article 10.1.1. Conduct which brings discredit upon the department.

Specification 2

On November 13th, 2002, you were arrested for section 11-0931 sub 4a1 and section 11-0901 sub 4(b)2 of the Environmental Conservation Law. This arrest which was made public has brought discredit to yourself and to the Malone Village Police Department.

You are allowed until the 5th day of December 2002, within which you may make and file your answer, in writing, to these charges. Such answer should reach this office of the undersigned, at 2 Police Plaza Malone, New York at or before 5:00pm on said 5th day of December 2002. You are entitled to a hearing on the attached charges and to be represented at such hearing by an attorney. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against these charges.

If you chose to have a hearing, it will be held at the earliest convenience to both parties involved. It will be held on the first floor of the Village Offices at 14 Elm Street Malone, N.Y. The hearing will be conducted by a hearing officer who will be duly designated for that purpose in accordance with Section 75 of the Civil Service Law of the State of New York.

If you are found guilty of the above listed charges, the penalty, or punishment imposed on you, may consist of either dismissal from service, demotion in grade and title, suspension without pay for a period not exceeding two months, and fine not exceeding \$100.00, or a reprimand

All further notices and communications addressed to you in connection with these charges will be mailed to at your latest address on record in the Department's personnel records or will be personally handed to you.

 11-25-02
Ronald E. Reyome Date
Acting Chief of Police

MALONE VILLAGE POLICE

"Star of the North"

2 Park Place
Malone, N.Y. 12953

Ronald E. Reyome
Acting Chief of Police

(518)483-2424
(518)483-2426
mpdchief@slc.com

Date : November 19th, 2002

To : Ptl. Scott Mulverhill

From: A/C Ronald E. Reyome

Re: Possible Disciplinary Action

You are ordered to do a complete written report as to your actions and others on the night of November 13th, 2002 Any information involving your arrest should be included. I have already advised you that some type of Disciplinary Action will be taken. The severity of this action will be based on my complete investigation.

I strongly advised you to completely straight forward and not try to hide any information. Your truthfulness or lack there of will also be considered when deciding what type of action should be taken. I will expect your response by November 22nd, 2002.

Ronald E. Reyome
Acting Chief of Police

VOLUNTARY STATEMENT

STATE OF NEW YORK
COUNTY OF FRANKLIN
DATE: November 22, 2002

PAGE 1 of 2

TIME STARTED: 9:26 AM

PLACE: Malone Village Police Department

I, Scott M. Mulverhill, am 35

My address is

My occupation is Police Officer

and education is 13 years

I would like to state that I am employed by the Malone Village Police Department and on November 13, 2002 I was charged by New York State Forest Rangers in the Town of Stockholm N.Y. with two En-Con Violations and settled through a civil compromise. As a result of this incident I am aware that I am facing disciplinary action through my department and have been informed by Chief Ronald Reyome that I have a right to Union representation in this matter and have a hearing which rights I understand and waive and give this statement freely and of my own will:

On November 13, 2002 I was with my nephew Craig St. Hilaire and my brother Dennis Mulverhill. Craig and I were drinking beer and Dennis was driving my personal vehicle and I believe the time was somewhere around 9:30 PM. I was in the back seat of the vehicle and Craig was in the front as Dennis drove up a road in the Moira area somewhere near the Best Road we observed a deer cross the roadway and I then told Dennis to drive past where the deer crossed the road and as we did I could see the deer standing just off the roadway and I put a shell in my nephew Craig's 30-06 rifle and shot the deer. Craig and I got out of the truck and put the deer in the back of the truck and I filled out my tag (deer was a doe) and put it on the deer. Dennis then drove off and we drove up a couple roads in St. Lawrence County near some property that I and Dennis used to hunt. Eventually we ended up on a road in what I was told by the Forest Rangers was the Buckton area and we observed another (doe) standing in the roadway and it walked into a meadow and stood about ten to twenty yards off the roadway and Craig shot this deer and I got out and ran to it and pulled it to the roadway and Craig helped me put it in the back of the truck. Dennis then turned right onto another road and we were going to bring the deer back to my house and feild dress them and put a tag on the other deer. At that time Dennis said to me that there was a police car behind us and I told him to not speed and he told me that the red lights were on and asked me what he should do. I then told Dennis that he should do what it meant to do and pull over.

After pulling over my vehicle a Forest Ranger approached and asked Dennis and Craig where the gun was and they told him they did not have a gun and then he asked me and I told him it was on the floor under my seat. The forest ranger then came around and ordered me out and took the gun and then had Craig get out and stand in front of the truck. The forest ranger walked to his vehicle and I walked with him telling him that I was a police officer and asked what was going to happen. As the forest ranger called for assistance he then apparently heard or saw Craig throw something in the bushes and he yelled at him asking what this was and Craig, I believe said nothing. I later asked Craig if he threw something and he told me yes that he threw beer bottles(I don't know -nor did I see him throw anything). Eventually myself and Craig were brought in two different vehicles to a fire department and they allowed Dennis to drive my

vehicle. Once we were at the fire department the forest ranger took me in a back office and told me he wanted a statement from me and I wrote one out. I was then given two tickets by En Con Officer Goulette for hunting with an artificial light and shooting from a roadway and Craig and Dennis were each given tickets for hunting deer with a artificial light. We were then brought to a Judge I believe his name was Williams and there we agreed to pay a civil compromise and I was ordered to pay \$1300.00 which I did two days later.

I prepared this statement xxxxxxxxxx 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 22cnd Day of November,2002

Signed: *94. Lott (ms) Andrewhill*

Witness:

Witness:

Page 2 of 2 Pages
Time ended:10:12 AM

VILLAGE OF MALONE POLICE DEPT.

2 PARK PLACE
MALONE, NEW YORK 12953
(518) 483-2424

TO: Chief Reyome ADDRESS: _____
DATE: 10/09/03 SUBJECT: Ptln Scott Mulverhill (sick leave)

Chief;

Above member was counseled date with respect to concerns related to possible sick leave abuse.

Member was advised that there appears to be a definite "pattern" developing with the use of his sick leave. ie: day(s) before regular scheduled days off or after same or day(s) before or after Holiday Comp time or Personal days. (see attached schedule).

It was suggested that member be aware of this type of activity and take appropriate steps to prevent repetition.

SIGNED: Assistant Chief Vernon N Marlow Jr



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

To: Ptlm. Scott Mulverhill

From: Chief Ronald Reyome

Date: July 11, 2005

Re: Past Due Debt

I have just been informed that you are to be served civil papers for a past due debt that you owe to Arnold's Oil. The amount was over \$400.00. This is not the first time that you have been served civil papers and I am also aware of other past due debt that you have accumulated.

I have also been informed that your phone has been disconnected. Is this because of lack of payment or some other reason? Obviously as a police officer, we need to be reachable. A phone is a necessity of the job. I would like an explanation as to what is going on with your phone situation.

I will expect this matter with Arnold Oil to be resolved before your court date. You are to provide me with proof of payment and you are also to take care of any other debt that you may have.



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

May 23, 2005

To: Officer Scott Mulverhill

From: Chief Ronald E. Reyome

Re: Inquiry for possible Disciplinary Action

Officer Mulverhill, you are to make yourself available in my office on Thursday May 26, 2005 at 1400hrs. The purpose of this meeting is to address concerns that I have that may lead to disciplinary action against you. In order to ensure that your interests are protected, it is strongly suggested that you appear with counsel or at the very least your Union Representative.

Naturally any questions that you might have will be answered at that time.

A handwritten signature in cursive script, appearing to read "Ronald E. Reyome".

Chief Ronald Reyome

5-23-05

Ptl David J. Merrick

To : Chief Reyome

RE : Ptl Scott Mulverhill

Chief,

In the matter of Ptl Scott Mulverhill I would like to request a delay in the initial hearing so that we may have union representation at the hearing. If it is possible I would like to schedule it during a time that Ptl Mulverhill is working. I am in receipt of the letter and have spoken with Ptl Mulverhill in brief regarding this matter. It would be appreciated if you could reschedule this for us, and if you are able to do that I will be able to be in contact with you as to a date that union representation will be able to be present. Please contact me in regards to this issue.

Thank you in advance

A handwritten signature in dark ink, appearing to read 'D.J. Merrick', written over the typed name.

Ptl D.J. Merrick
Malone PBA Union President



POLICE DEPARTMENT

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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

To: Patrolman Scott Mulverhill

From: Chief Ronald Reyome

Date : June 21, 2005

Re: Disciplinary Action

In our last meeting in regards to your possible Disciplinary charges being filed against you, it was agreed to that you are to come with me with me type of program that you will be completing in regards to these charges. As of this date we have had only one conversation concerning this and as of yet I have not seen anything on what you are planning on doing.

I need you to type up what you are planning on doing, including who you are going to be working with and how long this program will be. I need this to me by June 27, 2005. If not I will go forward with the charges and set up a hearing. I have been patiently waiting, but the time has come to resolve this issue.

A handwritten signature in cursive script, appearing to read "Ronald E. Reyome".

Ronald E. Reyome
Chief of Police



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

To: Ptl. Scott M. Mulverhill
From: Chief Ronald E. Reyome
Date: August 4, 2005
Re: Letter of Reprimand

On May 21, 2005, you booked sick for your scheduled tour of duty. (Night Shift) You called from a bar, admittedly in an intoxicated condition and this was the real reason why you were unable to come to work. You have been disciplined and received counseling for abuse of sick time in the past. Disciplinary charges have been filed against you on this most recent incident and you have admitted to the charges and have accepted the penalties, which includes this Letter of Reprimand.

Your actions on the night in question were totally unacceptable and unprofessional. You Were negligent in your duties causing another officer to be forced to work your shift. If this type of behavior occurs in the future you will be facing more severe disciplinary penalties.

This letter will remain as a permanent part of your personnel file.


Chief Ronald E. Reyome



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

(518) 483-2424
fax (518) 483-2426
Ronald Reyome
Chief of Police

State of New York
Town of Malone

County of Franklin
Village of Malone

In the Matter of Disciplinary *
Charges brought by the Village *
Of Malone against Patrolman *
Scott M. Mulverhill *

Answer admitting charges
and Consenting to Disposition

State of New York
County of Franklin

SS:

Scott M. Mulverhill, being duly sworn, deposes and says:

I, the undersigned, acknowledge that I have received a copy of the set charges preferred against me by the Village of Malone and set forth in a letter to me from Chief of Police, Ronald E. Reyome, dated August 4, 2005.

I waive my rights to a full hearing on the charges and acknowledge the charges to be true.

I understand that by entering this Answer admitting the charges, I shall receive a letter of reprimand that will become a permanent record of my personnel file and a ten-day suspension without pay. I have also agreed to under go and complete a substance abuse treatment program that will be outlined by North Star Behavioral Health Services.

Scott M. Mulverhill 8/04/05
Scott M. Mulverhill Date

Ronald E. Reyome 8/4/05
Chief Ronald E. Reyome Date

Witness: Sgt. Alan Fontana



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

August 4, 2005

Scott M. Mulverhill
P.O. Box 603
Malone, NY 12953

RE: Disciplinary Charges

Ptl. Scott Mulverhill,

In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York, you are hereby notified that the following charges are preferred against you:

CHARGES

Charge 1

You have violated Article 6 of the Department's Rules of Conduct, specifically Article 6.2.4. 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.

Specification 1

On May 21, 2005, you were scheduled to work the 2000 to 0400 tour of duty. You failed to report for duty.

Charge 2

You have violated Article 10 of the Department's Rules of Conduct specifically Article 10.1.7. Being absent without proper authorization.

Specification 2

On May 21, 2005, you called in sick for your night shift tour of duty. You advised Officer Collette to put down that you were not feeling well. You were calling from a bar and admitted that the real reason you were unable to come to work was because you were drunk.

Charge 3

You have violated Article 10 of the Department's Rules of Conduct, specifically Article 10.1.13. Intoxication whether on or off duty.

Specification 3

On May 21, 2005 you called in sick for your night shift tour of duty. The reason for this was because you were in an intoxicated condition.



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

(518) 483-2424
fax (518) 483-2426
Ronald Reyome
Chief of Police

You are allowed until the 12th day of August 2005, within which you may make and file your answer, in writing, to these charges. Such answer should reach the office of the undersigned, at 14 Elm Street, Malone, New York at or before 5:00 o'clock in the afternoon on said 12th day of August 2005. You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against these charges. Such hearing will be held at 6:00pm in the evening on August 25th 2005 on the first floor of the Village Offices, at 14 Elm Street, Malone, New York. The hearing will be conducted by a hearing officer who will be duly designated for that purpose in accordance with Section 75 of the Civil Service Law of the State of New York.

If you are found guilty of the above listed charges, the penalty, or punishment imposed on you, may consist of either dismissal from service, demotion in grade and title, suspension without pay for a period not exceeding two months, a fine not exceeding \$100.00, or a reprimand.

All further notices and communications addressed to you in connection with these charges will be mailed to your latest address on record in the personnel records of this village, which is P.O. Box 603, Malone, New York 12953, unless you request in writing that the same be sent to you at a different address.

Sincerely,

Brent Stewart
Mayor Village of Malone

October 11, 2005

Edwin Trathen, Assist. to the Pres.
North Country Community College
23 Santanoni Ave., P.O. Box 89
Saranac Lake, NY 12983-0089

RE: Section 75 Charges (Village of Malone)

Dear Mr. Trathen:

Pursuant to Section 75 of the Civil Service Law, you are hereby designated and directed to hold a hearing on October 20, or any adjourned date 2005, on charges issued on Scott Mulverhill, a police officer employed by the Village of Malone and on any amendments or supplements to such charges as may hereafter be preferred by me on behalf of the Village of Maolne. The hearing will be held in the Village Offices at 16 Elm St., Malone, New York to commence at 10:00 a.m. You shall cause a transcript to be made of such hearing and, following your analysis, you shall submit the record of such hearing to me with your recommendations for review and a decision.

Very truly yours,

Brent Stuart, Mayor

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

November 4, 2005

Edwin A. Trathen, Hearing Officer
North Country Community College
23 Santanoni Ave. Box 89
Saranac Lake, New York 12983

Re: Section 75 Case (Mulverhill v. Village of Malone)

Dear Mt. Trathen:

I am in receipt of an Order to Show Cause issued by Supreme Court Justice David Demarest enjoining the Village of Malone from proceeding with the Section 75 hearing reference above which had been scheduled to commence on Monday, November 7, 2005.

In view of the fact that the delay in proceeding has been caused by the Respondent's action, I respectfully request that you issue a ruling that the suspension without pay continue at least for the duration of the delay caused by the Respondent.

Sincerely,

Daniel C. McKillip, Executive Director

Cc: John M. Crotty, Esq.
John K. Grant, Esq. (By fax only)
Brent Stewart, Mayor (By fax only)
Nathan Race, Village Attorney (By fax Only)
Chief Ronald Reyome (By fax only)

THE LAW OFFICES OF
JOHN K. GRANT, P.C.
Attorney at Law

CLERMONT ON THE HUDSON
3 MAIN STREET, SUITE 1
NYACK, NEW YORK 10960
845.358.2288

1 SPRING SQUARE BUSINESS PARK
NEWBURGH, NEW YORK 12550
845.566.5526 / FAX 845.566.9416
e-mail: johnkgrantpc@aol.com

Via Facsimile & U. S. Mail

November 4, 2005

Nathan N. Race, Esq. (518-481-6737)
Hughes & Stewart (518-483-4005)
P.O. Box 788
Malone, NY 12953

Edwin A. Trathen (518-891-0898)
North Country Community College
P.O. Box 89
Saranac Lake, NY 12983

Daniel C. McKillip (518-523-7862)
North Country Labor Relations Associates, Inc.
P.O. Box 96
Lake Placid, NY 12946

Re: Scott Mulverhill

Dear Sirs:

I am in receipt of Mr. McKillip's letter of November 4, 2005.

The Court has stayed all parties from acting on the pending CSL § 75 proceeding in any way.

Should the Village or its representatives solicit or pursue any further action on this proceeding without the express permission of the Court, I will immediately file an application to hold all involved in contempt.

Respectfully,



John K. Grant

JKG/rbp

.ccs: Scott Mulverhill
David Merrick, PBA President
✓ Chief Ronald Reyome



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

November 3, 2005

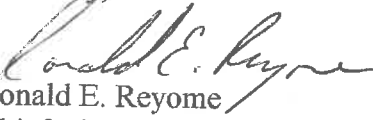
Edwin A. Trathen
North Country Community College
P.O. Box 89
Saranac Lake, NY 12983

Re: Article 75 Hearing : Officer Scott Mulverhill

Dear Mr. Trathen,

Enclosed you will find a copy of the charges and amended charges and notice of hearing for Officer Mulverhill. If anything further is needed, please don't hesitate to call. If you have any questions you can contact me at the number listed above. I thank you in advance for your assistance in this matter.

Sincerely,


Ronald E. Reyome
Chief of Police



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

October 14, 2005


Edwin A. Trathen
North Country Community College
20 Winona Ave
Saranac Lake, NY 12983

Re: Article 75 Hearing Officer Scott Mulverhill

Dear Mr. Trathen:

Enclosed you will find a copy of the charges and notice of hearing for Officer Mulverhill. If anything further is needed, please don't hesitate to call. If you have any questions you can contact me at the number listed above or you may contact the Village Attorney, Nathan Race, at 483-4330. I thank you in advance for your assistance in this matter.

Sincerely,


Ronald E. Reyome
Chief of Police

**THE LAW OFFICES OF
JOHN K. GRANT, P.C.
Attorney at Law**

CLERMONT ON THE HUDSON
3 MAIN STREET, SUITE 1
NYACK, NEW YORK 10960
845. 358. 2288

1 SPRING SQUARE BUSINESS PARK
NEWBURGH, NEW YORK 12550
TEL 845. 566. 5526 /FAX 845. 566. 9416

FAX COVER SHEET

CONFIDENTIAL COMMUNICATION

To: Nathan Race, Esq. FAX: 518-483-⁴⁰⁰⁵~~4330~~
From: John K. Grant, Esq. Date: October 19, 2005
Re: Village of Malone and Village of Malone Police Benevolent
Association – Disciplinary Charges – Scott Mulverhill

NUMBER OF PAGES INCLUDING COVER SHEET: 4

Comments:

NOTICE

The facsimile message accompanying this transmittal form contains privileged and confidential information intended solely for the use of the individual or entity to whom it is addressed. If the reader of the notice is not the intended addressee, or the employee or agent responsible to deliver it to the intended addressee, you are hereby notified that dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please notify us by telephone and return the original message to us at the above address by mail. Thank you.

**THIS OFFICE DOES NOT ACCEPT SERVICE OF PROCESS BY FACSIMILE UNLESS
SPECIFICALLY CONSENTED TO IN WRITING.**

THE LAW OFFICES OF
JOHN K. GRANT, P.C.
ATTORNEY AT LAW

CLERMONT ON THE HUDSON
3 MAIN STREET, SUITE 1
NYACK, NEW YORK 10960
845.358.2288

1 SPRING SQ. BUSINESS PARK
NEWBURGH, NEW YORK 12550
845.566.5526 / FAX 845.566.9416
E-mail: johnkgrantpc@aol.com

October 19, 2005

Nathan Race, Esq.
Hughes & Stewart, P.C.
31 Elm Street, P.O. Box 788
Malone, NY 12953

VIA FACSIMILE AND MAIL

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

Dear Mr. Race:

With respect to the above-referenced matter, enclosed please find the
respondent's answer to the disciplinary charges.

Respectfully,

John K. Grant/nlm
John K. Grant

JKG/nlm
Enclosure

Cc: David Merrick, PBA President
Scott Mulverhill

**STATE OF NEW YORK
COUNTY OF FRANKLIN; VILLAGE OF MALONE**

In the Matter of Disciplinary Charges

- against -

SCOTT MULVERHILL,

Respondent.

ANSWER

-----X

SCOTT MULVERHILL, by New York State Union of Police Associations, Inc., as his Labor Representative, does hereby submit the following in response to the disciplinary charges dated October 11, 2005:

1. Respondent denies each and every charge and every specification set forth in the disciplinary charges.
2. Respondent elects to grieve the disciplinary charges pursuant to Article Three of the Collective Bargaining Agreement (CBA) between the Village of Malone (Village) and the Village of Malone Police Benevolent Association (PBA) and he hereby presents his grievance for processing in accordance with the CBA.
3. Respondent demands a copy of any and all documents in the Respondent's personnel file and any in any other file(s) maintained about the Respondent by any agent, entity or employee of the Village, five (5) days prior to commencing any hearing.
4. Respondent demands of the Village a full and accurate written description of any oral, written or recorded statements or admissions attributed to Respondent, the subject matter of which is the substance of the charges and specifications herein, five (5) days prior to commencing any hearing.

5. Respondent demands a copy of all written reports, statements, records or other documents which the Employer may or will rely upon in the processing of the disciplinary charges brought against the Respondent, five (5) days prior to commencing any hearing.

6. Respondent reserves all rights to contest any and all aspects of the instant disciplinary charges, and the processing thereof, under applicable law, regulation, rule and contract.

7. Respondent demands that all future notices be served or delivered to John M. Crotty, Esq. at 1 Spring Square Business Park, Newburgh, New York 12550.

WHEREFORE, Respondent demands that the instant charges be dismissed in all respects.

Dated: October 19, 2005
Newburgh, New York

Respectfully submitted,

**NEW YORK STATE UNION OF
POLICE ASSOCIATIONS, INC.**

BY: 

JOHN K. GRANT

Labor Representative for Respondent
1 Spring Square Business Park
Newburgh, NY 12550
(845) 566-5526



COUNTY OF FRANKLIN

PROBATION DEPARTMENT

Court House, Malone, New York 12953-1822 - Phone (518) 481-1649 - Fax (518) 481-1645
BRANCH OFFICES: Saranac Lake (518) 891-2710 - Tupper Lake (518) 359-2471

JUDY K. HAYLE
Probation Director

CLAYTON C. WHITE
Probation Supervisor

September 28, 2005

Police Chief Ronald Reyome
Malone Village Police Department
2 Park Place
Malone, NY 12953

Dear Chief Reyome: *Ren-*

Upon your request and with the approval of Derek Champagne, District Attorney attached please find a list of approximate contacts with Officer Scott Mulverhill regarding probationer, Joshua Wolz.

Should you have any questions, please call.

Very truly yours,

Judy K. Hayle
Judy K. Hayle
Probation Director

In reply, refer to:

Kathy Heading-Smith
Kathy Heading-Smith
Probation Officer

Clayton C. White
Probation Supervisor

Attachments

Kathy Heading-Smith, Probation Officer Franklin County Probation Department

Approximate contacts with Officer Scott Mulverhill regarding Joshua Wolz, a probationer:

8/2/05-Telephone call from Scott. Advised PO that Mary Kay LaChance, mother of Ashley Palmer, age 17 contacted him to voice concern regarding Josh Wolz. Apparently Wolz had a week relationship with Palmer. After she ended the relationship Wolz cut Palmer off in traffic, appeared to be stalking her. Mary Kay and Ashley felt fearful for their safety. Mary Kay did not want to press charges due to fear of retaliation, according to Mulverhill.

8/31/05-Telephone call from Scott. Advised Joseph LaRocque admitted Wolz purchased beer for underage kids but refused to give a statement. Scott stated he had discussed this with Derek Champagne regarding a possible End. Welfare Child charge. He stated Derek told him to advise probation but no charge could be filed.

On 9/1/05-I telephoned Scott and left a message – why I don't remember.

On appr. 9/2/05 (I am not sure of date as I did not write it down) Scott responded to a 911 call at my neighbor's home. After the crisis passed, Scott again discussed Joshua Wolz and his frustration that Wolz had told Mary Kay LaChance that Scott was sleeping with Ashley. Scott denied this was true and stated Wolz was trying to make him look bad.

On appr. 9/4/05 Officer Mulverhill pulled in my neighbor's driveway. He advised he was there to check on the neighbors. Then proceeded to tell me that Joshua Wolz had been arrested the previous day for punching Joe LaRocque. We discussed the particulars.

On 9/6/05 Officer Mulverhill hand delivered the arrest information on Wolz. He also advised that Mary Kay LaChance had again contacted him regarding her concerns about Joshua Wolz, who had telephoned her residence, then parked across the road from her home and stood staring at her home. Scott asked if I would be filing a Violation and I told him yes. He gave me Mary Kay LaChance's home and work number to contact.

On 9/9/05 Officer Mulverhill telephoned me to thank me for moving so quickly on the violation of probation.

On 9/27/05 I telephoned Mary Kay LaChance who confirmed that the information Scott Mulverhill had provided me was accurate information regarding her contacting him about Joshua Wolz.

**Statement of Violation
In the Matter of
Joshua Wolz
Dated 9/06/05**

1) On 9/3/05 the defendant was charged with Endangering the Welfare of a Child. The charge is pending in Malone Village Justice Court. The defendant has failed to notify his Probation Officer that he had incurred a new arrest. On 8/8/05 the defendant pled guilty to Aggravated Harassment 2nd Degree in Moira Town Justice Court. His plea also satisfied the charge of Sexual Misconduct incurred on 3/2/05 in the Town of Bangor.

The above violates Probation Condition #4: Refrain from violating any federal, state or local law; notify the probation officer if arrested or questioned by any law enforcement official.

2) On 3/15/05 the defendant was directed to have no contact with Heather Titus. On 4/5/05 Ms. Titus filed a police complaint alleging that on 4/5/05 she was driving on Park St.. The defendant turned left from Elm Street onto Park Street, traveling toward her. Suddenly he swerved into her lane, causing her to slam on her brakes. He then pulled into his lane and drove past her.

On 8/3/05 the defendant was directed to have no contact with and stay away from Ashley Palmer, age 17 and her mother, Mary Kay LaChance. This directive was issued upon the request of Mary Kay LaChance. According to Malone Village Police Officer Scott Mulverhill, Ms. LaChance contacted him on 9/5/05 to report the defendant was still calling their residence. Most recently he called twice on 9/2/05 and once on 9/3/05. She further reported that on approximately 9/3/05 the defendant was standing in a yard across from her home, staring at her home.

**The above violates Probation Condition #5: Avoid injurious or vicious habits.
It also violates Probation Condition #18: Obey the directions given by the probation officer to insure compliance with the Conditions of Probation.**

3) Following his arrest on 3/2/05 the defendant was directed to refrain from consuming alcohol and frequenting bars. On 5/24/05 the defendant admitted to his Probation Officer that he still frequented the local bars and consumed alcohol. Probation Officer Laurie Fisher observed him in the Town Line Tavern on approximately 5/12/05. On 8/12/05 Heather Titus observed the defendant in Fat Jakes Bar.

**The above violates Probation Condition #6: Refrain from frequenting unlawful or disreputable places.
It also violates Probation Condition #18: Obey the directions given by the probation officer to insure compliance with the Conditions of Probation.
It also violates Probation Condition #5: Avoid injurious or vicious habits.**



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

October 14, 2005


Edwin A. Trathen
North Country Community College
20 Winona Ave
Saranac Lake, NY 12983

Re: Article 75 Hearing Officer Scott Mulverhill

Dear Mr. Trathen:

Enclosed you will find a copy of the charges and notice of hearing for Officer Mulverhill. If anything further is needed, please don't hesitate to call. If you have any questions you can contact me at the number listed above or you may contact the Village Attorney, Nathan Race, at 483-4330. I thank you in advance for your assistance in this matter.

Sincerely,


Ronald E. Reyome
Chief of Police



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: _____ From: Chief Ronald Reyome

Att. Marilynn Benton

Date: 10-11-05

Case: _____

CONFIDENTIAL

Yes (X)

No ()

Please Confirm that you received
these,

Thank You.

By: Chief Ronald E. Reyome

9 Pages including cover page

THE LAW OFFICES OF
JOHN K. GRANT, P.C.
ATTORNEY AT LAW

CLERMONT ON THE HUDSON
3 MAIN STREET, SUITE 1
NYACK, NEW YORK 10960
845.358.2288

1 SPRING SQ. BUSINESS PARK
NEWBURGH, NEW YORK 12550
845.566.5526 / FAX 845.566.9416
E-mail: johnkgrantpc@aol.com

October 7, 2005

CONFIDENTIAL

Ronald E. Reyone, Chief of Police
Village of Malone Police Department
2 Police Plaza
Malone, NY 12953-1601

VIA FACSIMILE

Re: Disciplinary – Scott Mulverhill

Dear Chief Reyone:

I am the attorney for Police Officer Scott Mulverhill and the Malone PBA with respect to certain allegations against Scott Mulverhill. Scott is being admitted into a 28-day in-patient program at Hamilton Hill Hospital in Ogdensburg, NY on Friday, October 7, 2005.

Pursuant to your request, I am enclosing communication from the St. Lawrence Addiction Treatment Center confirming his admission.

As such, I am requesting that the interview scheduled for October 11, 2005 be adjourned until after his release.

Should you have any questions, please feel free to contact the undersigned at (845) 566-5526.

Respectfully,


John K. Grant

JKG/nlm

Cc: Scott Mulverhill
David Merrick, PBA President

St. Lawrence Addiction Treatment Center
1 Chimney Point Drive
Ogdensburg, New York
(315) 393-1180
FAX: (315) 393-6160

TO: John Grant, Attorney at Law
NYS Union for Police
1 Spring Square Business Park
Newburgh, New York 12550
FAX: 845-566-9416

FROM: Sally Cote, AC 03 
Team Manager

DATE: October 7, 2005

RE: Scott MULVERHILL

NUMBER OF PAGES: 2 INCLUDING COVER

CONFIDENTIAL

In accordance with the patient's signed consent dated 10/7/05, please be advised that Scott Mulverhill was admitted to the St. Lawrence Addiction Treatment Center on October 7, 2005.

If you wish to relay or obtain information in regard to this patient, please contact me at (315) 393-1180.

RECEIVED

OCT 7 2005


NYS UNION OF
POLICE ASSOCIATIONS, INC.

State of New York
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

NOTE: This form must be stapled to all disclosures/releases of information concerning alcoholism/drug abuse patients.

**PROHIBITION ON REDISCLOSURE
OF INFORMATION
CONCERNING ALCOHOLISM OR DRUG ABUSE PATIENT**

This information has been disclosed to you from records protected by Federal confidentiality rules (42 CFR part 2 and HIPAA). The Federal rules prohibit you from making further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2 and HIPAA. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

To accompany disclosure of information made with consent of alcoholism/drug abuse patient.

**THE LAW OFFICES OF
JOHN K. GRANT, P.C.
Attorney at Law**

CLERMONT ON THE HUDSON
3 MAIN STREET, SUITE 1
NYACK, NEW YORK 10960
845.358.2288

1 SPRING SQUARE BUSINESS PARK
NEWBURGH, NEW YORK 12550
TEL. 845. 566. 5526 / FAX 845. 566. 9416

FAX COVER SHEET

CONFIDENTIAL COMMUNICATION

To: Ronald E. Reyone
Chief of Police

FAX: 518-483-2426

From: John K. Grant, Esq.

Date: October 7, 2005

Re: Scott Mulverhill

NUMBER OF PAGES INCLUDING COVER SHEET: 4

Comments:

NOTICE

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**THIS OFFICE DOES NOT ACCEPT SERVICE OF PROCESS BY FACSIMILE UNLESS
SPECIFICALLY CONSENTED TO IN WRITING.**

10/07/2005 13:03 FAX 315 393 6160

ST LAWRENCE ATC

St. Lawrence Addiction Treatment Center
1 Chimney Point Drive
Ogdensburg, New York
(315) 393-1180
FAX: (315) 393-6160

TO: John Grant, Attorney at Law
NYS Union for Police
1 Spring Square Business Park
Newburgh, New York 12550
FAX: 845-566-9416

FROM: Sally Cote, AC 03 (SC)
Team Manager

DATE: October 7, 2005

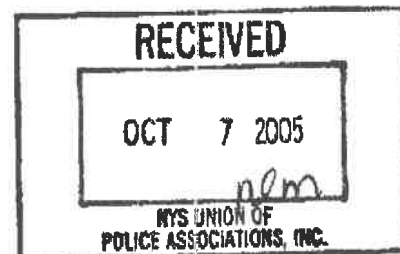
RE: Scott MULVERHILL

NUMBER OF PAGES: 2 INCLUDING COVER

CONFIDENTIAL

In accordance with the patient's signed consent dated 10/7/05, please be advised that Scott Mulverhill was admitted to the St. Lawrence Addiction Treatment Center on October 7, 2005.

If you wish to relay or obtain information in regard to this patient, please contact me at (315) 393-1180.



State of New York
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

NOTE: This form must be stapled to all disclosures/releases of information concerning alcoholism/drug abuse patients.

**PROHIBITION ON REDISCLOSURE
OF INFORMATION
CONCERNING ALCOHOLISM OR DRUG ABUSE PATIENT**

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To accompany disclosure of information made with consent of alcoholism/drug abuse patient.

Ron and Nathan:

I was able to reach Ed Trathen. He's available to serve as hearing officer. I suggested October 20th and that was fine with him. If you want to proceed on another date, let me know. You can reach Ed at:

Edwin A. Trathen
North Country Community College
20 Winoa Avenue
Saranac Lake, New York 12983

518-891-2915 ext. 687 (W)
518-891-4229 (H)
etrathen@nccc.edu

Here's my suggested addition:

Charge 25 You have engaged in a continuing pattern of misconduct over an extended period of
 time as evidenced by a written record contained in your personnel file.

I can be reached at 492-7313 until Sunday night.

Dan



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

(518) 483-2424
fax (518) 483-2426

Ronald Reyome
Chief of Police

September 26, 2005

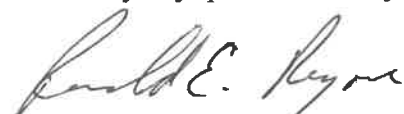
To: Officer Scott Mulverhill

From: Chief Ronald E. Reyome

Re: Inquiry for possible Disciplinary Action

Officer Mulverhill, you are to make yourself available in my office on Tuesday October 11, 2005 at 1400hrs. The purpose of this meeting is to address concerns that I have that may lead to disciplinary action against you. In order to ensure that your interests are protected, it is strongly suggested that you appear with counsel or at least your Union Representative.

Per your request I have given this letter to your Union President, Officer David Merrick. Naturally any questions that you might have will be answered at that time.


Chief Ronald E. Reyome

Received by Officer David Merrick



Date 9-26-05

GARDNER v. BRODERICK, 392 U.S. 273 (1968) stands for the proposition that immunity automatically accrues in an administrative hearing when a police officer is directed to answer a question under the threat of possible termination for refusal to answer even if the answer to a question could constitute an admission to a crime. This is known as "use immunity". His answer cannot thereafter be used against him in a subsequent criminal proceeding.

In regard to conducting an investigation the Garrity Rule applies:

THE GARRITY RULE

According to the Garrity Rule, before a law enforcement agency can discipline an officer for refusing to answer questions, the agency must:

- order the officer to answer the questions
- ask questions which are specifically, directly and narrowly related to officer's duties or the officer's fitness for duty, and
- advise the officer that the answers to the questions will not be used against the officer in criminal proceedings.

If the officer then refuses to answer appropriate questions, the officer may be disciplined for insubordination.

**Malone Village Court
16 Elm Street
Malone, NY 12953**

Michael L. Lamitie
Village Justice

(518) 483-5210
(518) 483-1510

September 15, 2005

KYLE R. YOUNG
[REDACTED]

People of the State of New York versus:

Case No: 05090025
[REDACTED]

MALONE, NY 12953

<u>TicketNo.</u>	<u>Officer</u>	<u>Statute/Section</u>	<u>Charge Text</u>
LS239552 5	MULVERHILL, SCOTT M.		VTL 1162 UNSAFE START

Trial date: 10/06/2005 Time: 11:00AM

This Court has accepted your not guilty plea. You have been scheduled for trial as shown above. If you plan to be represented by an attorney he or she should accompany you and be ready for trial as scheduled. No adjournments will be considered within 1-week of the trial date.

Very truly yours,


Court Clerk

CC. Officer S. Mulverhill

9-30-05 CONTACTED Sue at Justice Court Will offer
Subject A Reduction AND Get BACK TO me

1. Agency MALONE POLICE DEPARTMENT	2. Div/Precinct	New York State INCIDENT REPORT	3. ORI NY0162400	5. Case No. 107-521	6. Incident No. 16598
7,8,9. Date Reported (Day, Date, Time) FRIDAY 09/02/2005 22:15		10,11,12. Occurred On/From (Day, Date, Time) FRIDAY 09/02/2005 22:15		13,14,15. Occurred To (Day, Date, Time)	
16. Incident Type SPECIAL REPORT-SPECIAL REPORT			17. Business Name MVPD		
19. Incident Address (Street Name, Bldg. No., Apt. No.)					
20. City/State/Zip MALONE NEW YORK 12953-0000					
21. Location Code (TSLED) MALONE VILLAGE 1724		23. No. of Victims 0		24. No. of Suspects 0	
26. Victim also Complainant?					
Location Type					

ASSOCIATED PERSONS

25. TYPE	Name (Last, First, Middle, Title)	DOB	Street Name Bldg., Apt.No., City, State, Zip	Res Phone Bus Phone
PERSON INTERVIEWED	JARVIS , JOHN			
PERSON INTERVIEWED	MITCHELL, SAYRAIH			
PERSON REPORTING	LAMB, DONNA			

NARRATIVE

Date of Action	Date Written	Officer Name & Rank
09/22/2005	09/22/2005	STONE, STEPHEN (ASST CHIEF)
Narrative		

Donna in station to speak with me, she was upset with the way Officer Mulverhill treated her when she tried to talk to him about her husband Donal Mitchell getting arrested for AUO, see report 107-467.

Donna said she and Donal went to Price Chopper, she went into the store while Donal stayed in the car, Donna stated he was driving as she is unable to drive. On her way into the store she stated she saw a police car in the parking lot talking to some of the store employees but it was not Officer Mulverhill. When she came out Donal was upset and told her he could not drive home as the police came over to him, 3 cars and told him he was driving on a suspended license and arrested him for it. Donna said she saw a police car still in the parking lot, Officer Mulverhill was sitting in it. Donna then went and called her sister to come drive their car home. Donna's sister walked over to Price Chopper, with her was Donna and Donal's daughter Sara Mitchell and her boyfriend John Jarvis. As they were entering the parking lot Donna went over to Officer Mulverhill who was still in the parking lot to talk to him.

The car that Donal drivers is registered and insured in Donna's name. Donna thought they had taken care of all Donal's suspensions and wanted to see why he was still suspended. Donna stated when she got over to the police car, she said "what did he dod not Mulverhill". She stated that he out of the car and started yelling at her, he told her that he didn't have to tell her anything, that it was none of her business and to go on her way. Donna siad she only wanted to talk to him about what happened and what she had to do to take care of it Officer Mulvehill would not talk to her. Donna stated that this is not the first time he has been "mean" to her.

About 2 years agon, when we had the warrant for Donal and he took off in the car with patrol invovled in a chase with him out of the village she came to the station. Donna stated she came in to find out what was going on and if they had caught Donal yet and that "Scott" was in the staiton. Donna stated that he yelled at her then too, that he was not going to tell her anything. Donna said " I don't know why, what it is he has against me but he doesn't like me. Donna fells that Officer Mulverhill is not treating her fair or giving her the infromation she needs to know on Donal as she is the registered over of the car he drives.

I told Donna that we are limited in some cases on infromation be released but that as vehilce over Officer Mulverhill should have given her some inforamtion. I also explained how she and Donal can get a driver's abstarct from the DMV which will show all his suspensions. Lic checks show Donal being Revoke by DMV, and that they would have to deal with that office in getting same cleared. Donna wanted to press the matter about Officer Mulverhill yelling at her and not treating he fair. She stated that Sara and her boyfriend where in the parking lot close enough to hear what happened. Her sister was just coming in and was to far away to

see what was happening. I made contact with Sara and John, who is basicly living at the Mitchell house. Both stated they were there and would come in and talk with me but that they did not see anything. Made appointment for both to come in so I could talk furtehr with them.

09/03 Neither John or Sara made appointment, tied calling and left message on cell phone they are using. Later the eveing Donna came in and stated she talked to Sara and John and they are refusing to come in and talk to me. Donna said they do not want to get involved and told her they would not help her, they did not see or hear what she was reporting. Advied Donna I had left message and I would try and make contact with them later.

09/05 Donna in station stating that Sara and John do not want to talk to me and that Sara was mad at he mother for having the cops call her. I told Donna not to press Sara as that would only anger her more and they did not further domestic incidents between them. I told her to let Sara and John know they could contact me anytime they wanted to talk to me. I tried calling John at his home address on Willaim St. and spoke with his mother and she stated John has not been home in awhile and that he is only getting himself in trouble hanging out at the Mitchell's, she had no other info for me. Called and left one more cell phone message for John and Sara.

09/20 Donna in station to tell me what was happening with Donal's revocation and what they were doing to get same cleared. Donna also told me that no one will back her up about "Scott" yelling at her so she can not see taking the matter further. She asked if I could handle it on a personal level with Officer Mulverhill and speak to him about treating people better.

ADMINISTRATIVE

74. Inquiries	75. NYSPIN Message No.	76. Complainant Signature	
77. Reporting Officer Signature (Include Rank) ASST CHIEF STEPHEN STONE	78. ID No. 7861	79. Supervisor Signature (Include Rank) CHIEF RONALD REYOME	80. ID No. 3349
81. Status <i>Closed</i> PENDING INVESTIGATION	82. Status Date 09/02/2005	83. Notified/TOT	
			Solvability Total 0

1. Agency MALONE POLICE DEPARTMENT	2. Div/Precinct	New York State INCIDENT REPORT	3. ORI NY0162400	5. Case No. 107-1218	6. Incident No. 16883
7,8,9. Date Reported (Day, Date, Time) THURSDAY 09/22/2005 11:37		10,11,12. Occurred On/From (Day, Date, Time) WEDNESDAY 09/21/2005 18:00		13,14,15. Occurred To (Day, Date, Time)	
16. Incident Type SPECIAL REPORT-SPECIAL REPORT			17. Business Name		
19. Incident Address (Street Name, Bldg. No., Apt. No.) CHATEAUGAY, NY					
20. City/State/Zip MALONE NEW YORK 12953-0000					
21. Location Code (TSLED) MALONE VILLAGE 1724		23. No. of Victims 0	24. No. of Suspects 0	26. Victim also Complainant?	
Location Type SINGLE FAMILY HOME					

NARRATIVE

Date of Action	Date Written	Officer Name & Rank
09/22/2005	09/22/2005	RUSSELL, JAMES (DETECTIVE)
Narrative		
Shirley called the station reporting that she had a man named Clarence Nesbitt come to her house in Chateaugay. When she asked the man who told him where she lived, the man stated an Officer at the Malone Village PD told him. Shirley wants to know who told the man wheer she lived as she did not want this info released. Info TOT A/C Stone.		

ADMINISTRATIVE

74. Inquiries	75. NYSPIN Message No.	76. Complainant Signature	
77. Reporting Officer Signature (Include Rank) DETECTIVE JAMES RUSSELL	78. ID No. 2589	79. Supervisor Signature (Include Rank) ASST CHIEF STEPHEN STONE	80. ID No. 7861
81. Status PENDING INVESTIGATION	82. Status Date 09/22/2005	83. Notified/TOT	
			Solvability Total 0

Spoke with Disp Montroy and Ptl Crawford who were in the station with Ptl Mulverhill at the time. Clarence Nesbitt of Willow St came in looking for info. on Morton: Ptl Mulverhill told him we did not have her home phone number and he kept asking questings about her phone and home address. Nesbitt stated she lives in Belmont does she and Ptl Muvlverhill told him, that the thought she lived around Chateaugay Lake but did not know where. He told Nesbitt to contact her at the shelter tomorrow morning and Nesbitt left. Called Morton and advised her of findings, she wanted to make sure no one gave out personal information on her, advised her we would not. In speaking with Morton she did say she knew Nesbitt and that he works on her truck when she brings it into Goss Tire. Closed/SJS



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Ronald Reyome
Chief of Police

News Release

Patrolman Scott M. Mulverhill has been suspended by the Malone Village Police Department for previous Departmental charges that were filed against him in August of this year. An unrelated internal investigation is currently taking place at this time for possible further violations of the Department Rules and Regulations. Due to this being a personnel issue and for investigative reasons, no further information will be available. When the investigation is complete and in keeping within the guidelines of the Civil Service Law, more information may be released at that time.

Chief Ronald E. Reyome