

The following meeting was audio taped.

BOARD OF SELECTMEN AND PUBLIC SAFETY PERSONNEL
Thursday, 12 June 2014 4 o'clock p.m.
Town Hall Hearings Room

TOWN CLERK
DIGHTON, MA
BY _____

2014 JUL -7 AM 11:58

RECEIVED

Persons present: Chairman of the Board of Selectmen Dean V. Cronin; Selectman Thomas J. Pires; Clerk of the Board of Selectmen Patrick W. Menges; Dighton Police Chief Robert L. MacDonald; Dighton Police Sergeant Edward Dutra; Dighton Police Reserve Officer William Rasmussen; 911 Dispatch Liaison Theresa Costa; and 911 Communications Dispatcher Paul Beadouin. Reserve Officer Joy Swartzendruber had been notified of the following session forty-eight (48) hours prior to the convening, by delivery by Police Chief Robert MacDonald and Sergeant Edward Dutra in hand to her father at her residence, of a written notification, signed by the Personnel Officer, Clerk of the Board of Selectmen, Patrick W. Menges. The notice contained the verbatim text of Chapter 30A Section 21 (a) (1) of the Massachusetts General Laws, and informed her that her performance would be the subject of discussion at the meeting. However, she was not in attendance.

Chairman of the Board of Selectmen Dean V. Cronin convened a special meeting of the Board of Selectmen with certain public safety personnel on Thursday, 12 June 2014, at 4 o'clock p.m. in the Town Hall Hearings Room, to hear a presentation of an incident on Saturday 31 May 2014 involving Reserve Police Officer Joy Swartzendruber. Following the Pledge of Allegiance to the Flag, Personnel Officer Selectman Patrick Menges stated that pursuant to a notice duly given the Board had convened to hear a presentation by Chief MacDonald and witnesses concerning the Saturday 31 May 2014 incident.

Chief MacDonald began by reading a letter from a professional counseling firm, East Side Counseling, concerning Officer Swartzendruber. Selectman Pires interrupted, and asked, "Can we start from the beginning?"

The Chief of Police and Sergeant Dutra explained to the Board about cruiser assignments, and resistance that Sergeant Dutra received on the day in question to a cruiser assignment. Officer Rasmussen then testified concerning a domestic call. Following the domestic call, Officer Swartzendruber had indicated that she was en route to the Police Station, but then indicated that she was stopping at the Main Street Fire Station. She indicated that she had symptoms of an indisposition, as if related to the stress of her duty.

The Board was furnished with written statements from LICSW Mary R. Cruise and Dighton Firefighter/EMTP Thomas Lambert, and a report from Officer Rachel Rose.

After the witnesses had presented the relevant facts, they (Officer Rasmussen, Dispatch Liaison Costa, and Dispatcher Beadouin) were invited to withdraw, and left the room, leaving the Selectmen, Chief MacDonald and Sergeant Dutra.

Selectman Menges read into the record the text of two reports, the latter of which was a report by EMT Lambert of carnally suggestive remarks made to him while he was administering medical attention to Officer Swartzendruber, statements which he said made him feel uncomfortable.

On the recommendation of the Personnel Officer, Selectman Menges, Chairman Cronin asked if there were any persons present who wished to speak on Officer Swartzendruber's behalf, or if Officer Swartzendruber were present herself. There was no response to either question, wherefore a negative response is recorded.

On a motion of Selectman Menges seconded by Selectman Pires, the Board of Selectmen unanimously voted to send to Officer Swartzendruber a letter requiring a complete medical examination and a complete psychiatric examination before she will be permitted to return to duty, the letter indicating that she should contact her superiors to arrange for acceptable examinations. (The motion consisted of the text of the letter which had been typed in advance, and is filed with, and part of, these minutes.)

On a motion of Selectman Menges seconded by Selectman Pires the Board further voted to send a letter forewarning Officer Joy Swartzendruber that she will not be reappointed as a reserve Dighton Police Officer until such time if ever as it appears that her reappointment would be in the best interest of the Town of Dighton.

The Selectmen signed the letter informing Officer Swartzendruber that she would not be returned to duty until she had undergone a medical examination and a psychiatric examination. The letter was photocopied, and given to the Chief of Police to be hand delivered to the Reserve Officer. Selectman Menges said that he would have the second letter forewarning Officer Swartzendruber of likely non-reappointment prepared following the meeting, to be delivered to the individual by the Police Chief likewise, after the Selectmen had signed it.

On a motion of Selectman Pires, seconded by Selectman Menges, the meeting was adjourned at 4:39 p.m.

Respectfully submitted,



Patrick W. Menges

Clerk of the Board of Selectmen

[The miniature cassette containing the audio tape of these proceedings is filed in the Selectman's Office with the notes from which these minutes were made. A transcript of the proceeding will be prepared and made available to the Reserve Officer involved if requested.]