

Town of Stoughton



Donna M. McNamara
Chief of Police

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To: Chief McNamara
From: Deputy Chief Holmes
Date: February 8, 2021; report completed and submitted on August 29, 2022
RE: 21-1-IA report

Chief McNamara:

Pursuant to your directive of February 5, 2021 to conduct this investigation, I hereby submit the following report into the matter of the unattended death of Sandra Birchmore, and into the possible violations of the policies, procedure, rules and regulations of the Stoughton Police Department:

Investigative directive

This administrative investigation was conducted to determine any violations of policies procedures, rules and regulations of the Stoughton Police Department by any of its employees.

This investigation began as a result of the unattended death investigation that was conducted by the Massachusetts State Police into the death of Sandra Birchmore of Canton, MA, formerly of Stoughton, MA and a former participant in the Stoughton Police Explorers program. Investigative reports and evidence in this case was shared by the Massachusetts State Police concerning personal relationships that members of the Stoughton Police Department had with Ms. Birchmore.

Throughout the course of this investigation there was an understanding between the Massachusetts State Police and me, that should any evidence be discovered concerning criminal culpability involving anybody connected in any way to this case, that I would refer that information to the MSP for further investigation.

Per policy, the Chief of Police received weekly updates as to the progress of this investigation [Standard 52.2.4] and on occasion, with more frequency when relevant. A determination was made in the early stages of this investigation that disclosure of allegations to employees who would eventually be identified, would jeopardize this investigation [Standard 52.2.5].

An approximate timetable was provided and updated as information developed. Some delays in the processing of data were beyond the control of this investigator. Any dispositions or findings are based upon the *Preponderance of Evidence* standard of proof.

Introduction and background of investigation

On February 4, 2021, the Canton Police Department responded to a sudden death [Exhibit 1, Canton Police report 21-79-OF]. The call originated as a well-being check from [REDACTED] the employer of the victim Sandra Birchmore. The call came here to the Stoughton Police Department as Birchmore's address of record was 40 Holbrook Ave in Stoughton. Further communication directed that the Canton Police do the well-being check at 3307 Windsor Woods Way as Birchmore had moved there. Reportedly, Birchmore had not reported to work in several days.

The victim Ms. Birchmore was pronounced deceased at the scene by a Canton paramedic. She died from [REDACTED] [See also, Exhibits IV-1, IV-2, IV-3, IV-4 and subsequent MSP interviews]

On or about February 5, 2022, you were contacted by a Detective from the Massachusetts State Police Detective Unit that is assigned to the Norfolk County District Attorney's office. The nature of the call was to notify you that a former member of the Stoughton Police Explorer's program [program now a terminated as of 2016], of this department, had [REDACTED] The Trooper related that the former police Explorer and victim Sandra Birchmore had been in an [REDACTED] relationship with Detective Matthew Farwell for an extended period of time. He indicated that on the day Ms. Birchmore [REDACTED] he, other Troopers and the Canton Police Department responded as they ordinarily would to any unattended death.

The MSP had been contacted by friends and family of the victim Ms. Birchmore alerting the Detective Unit to the relationship between Matthew Farwell and Birchmore. Concerns were [REDACTED] See also, Exhibits S-1 through S-24].

It was further relayed that the Massachusetts Medical Examiner's office took jurisdiction of the body and later confirmed that the victim Ms. Birchmore [REDACTED] The preliminary investigative information showed Detective Farwell on the video surveillance of Ms. Birchmore's apartment approximately four days before she was discovered deceased. Farwell spent about twenty minutes inside the apartment.

Further investigation by MSP indicated that Farwell had known the victim Ms. Birchmore since she was approximately 13 years of age and began [REDACTED] relationship with her at age fifteen. Text messaging developed from the MSP investigation indicated that Farwell had [REDACTED] with Sandra Birchmore when she was age fifteen and that Farwell

[REDACTED] The substance of the conversation shows that Farwell corroborates this action [Exhibit 2; see also MSP interview S-14].

The investigation by the Massachusetts State Police did not yield sufficient probable cause with which to charge Matthew Farwell with a crime, at that time.

After discussion with you, me and the appointing authority, a decision was made to place Matthew Farwell on paid administrative leave given the nature of what was known at that point in time.

Ultimately, the MSP investigation would determine through the Office of the Chief Medical Examiner, that the cause of death of the victim Sandra Birchmore [REDACTED] Analysis of the victim's communications shows extensive dialogue between herself and Matthew Farwell when Matthew Farwell told her that he had arrived at her apartment and she told him to come up. Matthew Farwell was the last known person to see Sandra Birchmore alive.

Given the volume of data, the Town authorized the assistance of outside investigators. PI Paul L'Italien was initially brought in to assist and we would later bring PI Robert Fries and Michael Bates as an IT consultant. All investigators are retired ranking members of the Massachusetts State Police with extensive investigative experience.

Much of the initial investigative steps were centered on a PDF document that contained a download of data from the victim Sandra Birchmore's laptop. The laptop had been synchronized with her cellular phones. A later analysis of the cell phones provided a data pull that was less cumbersome and easier to identify users and people with whom the victim Sandra Birchmore was having discussions. Data was provided to me in Cellebrite format for easier and more organized analysis.

The investigation would later show that Matthew Farwell had a long standing [REDACTED] [REDACTED] with the victim Sandra Birchmore, and that his twin brother Officer William Farwell had an [REDACTED] relationship with the victim Sandra Birchmore. The investigation also

determined by a preponderance of the evidence that Officer Robert Devine had a [REDACTED] relationship with the victim Sandra Birchmore. The investigation shows evidence that [REDACTED] behavior took place between Matthew Farwell and Sandra Birchmore and that Robert Devine was engaged [REDACTED] of Mathew Farwell and William Farwell as his understudies.

Contact was made with some participants of the former Stoughton Police Department Police Explorers program [SPEC] to determine if any inappropriate behaviors, actions or [REDACTED] took place beyond what was made apparent through evidence initially obtained. We also interviewed department members and a family member of Sandra Birchmore.

Notwithstanding the resignation of any prospective targets of this investigation, interviews were drafted and strategically planned.

To the furthest extent possible, we exhausted all investigated resources. The investigation represents a crossroads between the statutorily authorized investigative authority of the MSP Detectives assigned to the Norfolk County District Attorney's office and the appropriate sharing of information in order to carry out a comprehensive administrative investigation. At a point early in this investigation, there was an understanding that the MSP still maintains primary jurisdiction over any criminal activity that the administrative investigation could reveal. To that extent, the understanding was that if I found evidence of a crime, I would stop the administrative process and refer this case, as well as all evidence back to the MSP.

One witness came forward alleging that [REDACTED] by Matthew Farwell. This matter was referred back to the MSP and the victim in that case did not cooperate with the interview process [see executive summary below].

I conducted a review of the administrative investigation of Robert Devine that was conducted by Investigator Paul White. I reviewed the findings as well as the entire case file.

I conducted personnel file reviews of [REDACTED] Matthew Farwell and William Farwell.

Several civilian witness interviews were conducted. [See also, Transcription files T-1 through T-10]

A conclusion of fact is detailed below.

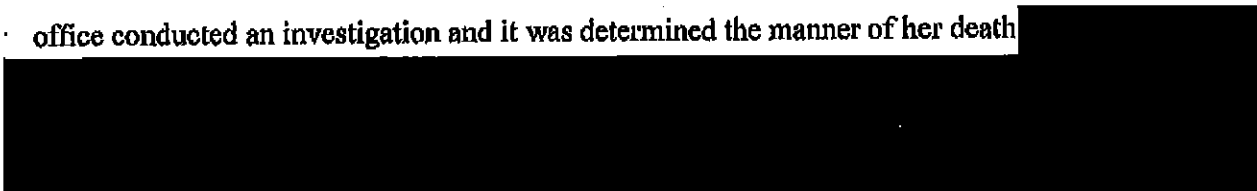
Executive Summary

Matthew Farwell:

Matthew Farwell has been a sworn member of the Stoughton Police Department from March 27, 2012 until the date of his resignation on April 1, 2022. He was a member of the Stoughton Police "Explorers" group during his teenage years and had been designated the rank of Deputy Chief within the program in 2002. After high school he entered the military and later acted as a guest instructor within the "Explorers" program at the request or direction of Robert Devine.

Sandra Birchmore was a member of the Stoughton Police "Explorers" group beginning in 2010 when she was thirteen (13) years old. She was on the stand-by list for the program in 2010, was a member in 2011 and remained in the program until 2016, the year she graduated from Stoughton High School.

Sandra Birchmore was found deceased at her apartment in Canton on February 4, 2021 after a well-being check when she didn't report to work. The Norfolk County District Attorney's office conducted an investigation and it was determined the manner of her death



On February 6, 2021, Matthew Farwell was interviewed by the Massachusetts State Police as part of the Sandra Birchmore death investigation. During the interview, Matthew Farwell stated that he knew Sandra "for about ten years" and they met when she was in the "Explorer" program of the Stoughton Police Department. He knew that she had previously [REDACTED]

Matthew Farwell stated to the State Police that he began [REDACTED] relationship with Sandra Birchmore early in 2020. He admitted they [REDACTED]

[REDACTED] In December 2020 Sandra told him [REDACTED] He stated he last saw her on the evening of February 1, 2021 when he went to her apartment to end their relationship. They had a "pretty nasty argument" and he left there at approximately 9:30 PM.

During the State Police investigation into Birchmore's death there was an analysis of her devices (cell phone, laptop, etc.) and social media platforms. This part of the investigation revealed that Matthew Farwell was in contact with Birchmore by text message going back to at least 2020. During many of their text communications the topic of discussion were [REDACTED]

There had been hundreds of text messages between Matthew Farwell and Sandra Birchmore that had been reviewed as part of this investigation. Of note, there was a text message exchange between Matthew Farwell and Sandra Birchmore on February 11, 2020. Specifically, the content of one text message [Draft Interview Exhibit 2 marked M. Farwell text #7] refers to the date of [REDACTED] M. Farwell text #6 indicates that Matthew Farwell [REDACTED] Within the narrative of Text #6, Matthew Farwell acknowledged that [REDACTED]

In another text dated February 11, 2020 Birchmore says [REDACTED] Matthew Farwell replied [REDACTED] This text message is marked "M. Farwell text #6". In the following text, Birchmore cites the date [REDACTED] and added [REDACTED] Farwell replied with a "I)" and then "me too". This text is marked "M. Farwell text #7". On the same date, Sandra Birchmore texted [REDACTED]

[REDACTED] and Matthew Farwell replied [REDACTED] See "M. Farwell text #15".

In another text message between Matthew Farwell and Sandra Birchmore, Birchmore says [REDACTED] to which Farwell replied "*me too*". This text message was on June 19, 2020 and is marked "M. Farwell text #3". The investigation has determined that Sandra Birchmore's date of birth was May 13, 1997 and that she was fifteen (15) years old on April 10, 2013. For the full context of the text messages, see Exhibit two, text messages 1 through 7, 14 & 15.

Matthew Farwell resigned from his position with the Stoughton Police Department on March 11, 2022 with the resignation to take effect on April 1, 2022. He resisted sitting for an interview in this investigation. The investigation has determined that Matthew Farwell violated Stoughton Police Department rules and regulations as listed below;

Findings:

Regarding the allegation that Officer Matthew Farwell demonstrated Conduct unbecoming an officer in violation of Section 1, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: Matthew Farwell demonstrated immoral, improper, disorderly or intemperate personal conduct that reflects discredit upon the officer himself, upon his fellow officers or upon the Stoughton Police Department.

The investigation has revealed that Matthew Farwell [REDACTED] relationship with Sandra Birchmore when she was fifteen years of age. The relationship continued for many years and included interactions and communications while Farwell was on duty for the Stoughton Police Department.

Regarding the allegation that **Officer Matthew Farwell** violated Section 1, of the Stoughton Police Department Rules and Regulations, (**Conformance to Laws**) this allegation is **NOT SUSTAINED**. There is insufficient evidence to prove or disprove this allegation

Analysis: On the dates of February 11, 2020 and June 19, 2020, Matthew Farwell and Sandra Birchmore engaged in text messaging in which they discussed the date of

[REDACTED] The content of the text messages indicate that Farwell and Birchmore

[REDACTED]
Matthew Farwell was a sworn member of the Stoughton Police Department on that date.

[REDACTED]
In order to have a "SUSTAINED" finding of this allegation, investigators would need the testimony of Sandra Birchmore who is deceased.

Regarding the allegation that **Officer Matthew Farwell** demonstrated **Incompetence** when he failed to demonstrate "*sound judgement*" in violation of Section 3, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the date of June 7, 2020 Matthew Farwell failed to demonstrate "*sound judgement*" when he engaged in texting with Sandra Birchmore while on duty for the Stoughton Police Department. The content of the text messages was that he requested Birchmore to meet him on Walnut Street [REDACTED] while he was on duty.

Regarding the allegation that **Officer Matthew Farwell** was **untruthful** in violation of Section 4, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On February 6, 2021, Matthew Farwell was interviewed by the Massachusetts State Police regarding the death of Sandra Birchmore. During the interview Farwell admitted to [REDACTED]

[REDACTED] A review of the text messages between Matthew Farwell and Sandra Birchmore shows that that he was not truthful in describing the extent of their [REDACTED]

Regarding the allegation that Officer Matthew Farwell failed in his attention and devotion to duty in violation of Section 7, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the dates of June 7, 2020, Matthew Farwell failed in his attention and devotion to duty when he engaged in texting with Sandra Birchmore while on duty for the Stoughton Police Department. The content of the text messages was that he requested Birchmore meet him on Walnut Street [REDACTED]

William Farwell:

William Farwell had been a sworn member of the Stoughton Police Department since March 21, 2017 until the date of his resignation from the department on August 1, 2022. He was a member of the Stoughton Police "Explorers" group during his teenage years and had been designated the rank of Lieutenant within the program in 2002. After high school he entered the military and later acted as a guest instructor within the "Explorers" program at the request or direction of Robert Devine.

Sandra Birchmore was a member of the Stoughton Police "Explorers" group beginning in 2010 when she was thirteen (13) years old. She was on the stand-by list for the program in 2010, was a member in 2011 and remained in the program until 2016, the year she graduated from Stoughton High School.

Sandra Birchmore was found deceased at her apartment in Canton on February 4, 2021 after a well-being check when she didn't report to work. The Norfolk County District Attorney's office conducted an investigation and it was determined the manner of her death [REDACTED]

On February 11, 2021, William Farwell was interviewed by the Massachusetts State Police as part of the Sandra Birchmore death investigation. During the interview, William Farwell stated that he first met Sandra *"about ten years earlier"* when she was in the "Explorer" program and he was a guest instructor. In 2018, while he was assigned to a paid detail Sandra

approached him and they began to talk about her interest in joining the Army. Farwell put her in touch with an Army recruiter and Sandra began to contact him on a regular basis.

William Farwell admitted during his State Police interview that he had a [REDACTED]

[REDACTED] with Sandra going back about two years. [REDACTED]

[REDACTED] The relationship ended when Sandra approach him and his family at a Fourth of July event. After she approached his family, Farwell blocked her on social media but they stayed in touch "off and on". The last time [REDACTED]

During the State Police investigation into Birchmore's death there was an analysis of her devices (cell phone, laptop, etc.) and social media platforms. This part of the investigation revealed that William Farwell was in contact with Birchmore by text message going back to at least April of 2020. [REDACTED]

Some of the content has communications in which William Farwell encouraged Sandra Birchmore [REDACTED]

There is information in some text messages that Farwell is either working a shift or paid detail while he is exchanging [REDACTED] text messages with Birchmore. The dates and times of these text messages were compared to attendance and paid detail records and revealed the following;

April 19, 2020: William Farwell was assigned to a midnight to eight (12 AM to 8 AM) patrol shift and exchanged text messages with Sandra Birchmore which [REDACTED]

[REDACTED] The text messages began at 6:47 AM and continued past his 8:00 AM end of shift time.

April 29, 2020: William Farwell was assigned to a midnight to eight (12 AM to 8 AM) as the desk officer. He exchanged text messages with Sandra Birchmore which [REDACTED] The text messages began at 4:39 AM and continued past his 8:00 AM end of shift time.

April 29, 2020: William Farwell was assigned to a paid detail from 8:00 AM to 4:00 PM. [REDACTED] text messages which began during his midnight shift continued throughout the time he worked the detail.

May 6, 2020: William Farwell was assigned to a midnight to eight (12 AM to 8 AM) patrol shift and exchanged text messages with Sandra Birchmore [REDACTED] The text messages began at 6:42 AM and continued until 7:25 AM.

December 21, 2020: William Farwell was assigned to a paid detail from 8:00 AM to 4:00 PM. He exchanged text messages with Sandra Birchmore which [REDACTED] The text messages occurred throughout the morning hours and continued until 1:49 PM. At 11:04 AM Birchmore sent Farwell [REDACTED] At 11:38 AM Farwell sent Birchmore [REDACTED]

Regarding the allegation that Officer William Farwell demonstrated Conduct unbecoming an officer in violation of Section 1, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the dates of April 19, 2020, twice on April 29, 2020 (work shift and later on a paid detail), May 6, 2020 and December 21, 2020, William Farwell demonstrated *immoral, improper*, disorderly or intemperate personal conduct that reflects discredit upon the officer himself, upon his fellow officers or upon the Stoughton Police Department. On the above dates, William Farwell, while on duty exchanged [REDACTED] with Sandra Birchmore.

Regarding the allegation that **Officer William Farwell** violated Section 1, of the Stoughton Police Department Rules and Regulations, (**Conformance to Laws**) this allegation is **SUSTAINED**.

Analysis: On the dates of April 19, 2020, April 29, 2020, August 1, 2020, August 16, 2020, August 19, 2020, September 15, 2020, September 17, 2020, September 26, 2020, October 19, 2020, November 18, 2020 and December 21, 2020, William Farwell coerced Sandra Birchmore via text message [REDACTED]

On the dates of April 29, 2020, August 1, 2020, August 16, 2020, August 19, 2020, September 15, 2020, September 17, 2020, September 26, 2020, October 19, 2020, November 18, 2020 and December 21, 2020, William Farwell coerced Sandra Birchmore via text message [REDACTED]

Regarding the allegation that **Officer William Farwell** demonstrated **Incompetence** when he failed to demonstrate "*sound judgement*" in violation of Section 3, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the dates of April 19, 2020, April 29, 2020, May 6, 2020, December 21, 2020, William Farwell failed to demonstrate "*sound judgement*" when he engaged in texting with Sandra Birchmore while on duty for the Stoughton Police Department. The content of the text messages [REDACTED]

Regarding the allegation that **Officer William Farwell** was **untruthful** in violation of Section 4, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On February 11, 2021, William Farwell was interviewed by the Massachusetts State Police regarding the death of Sandra Birchmore. During the interview Farwell admitted to [REDACTED] A review of the text messages between Farwell and Birchmore shows that he was not

truthful in describing [REDACTED] He stated during the interview that he last saw Sandra Birchmore during December 2020. The text message exchanges indicate [REDACTED] in the parking lot of her apartment building after midnight on January 10, 2021.

Regarding the allegation that **Officer William Farwell** failed in his **attention and devotion to duty** in violation of Section 7, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the dates of April 19, 2020, April 29, 2020, May 6, 2020, December 21, 2020, William Farwell failed in his attention and devotion to duty when he engaged in texting with Sandra Birchmore while on duty for the Stoughton Police Department. The content of the text messages [REDACTED]

Regarding the allegation that **Officer William Farwell** violated the CJIS, LEAPS, NCIC Data entry policy of the Stoughton Police Department Rules and Regulations, as well as the CJIS Individual User agreement this allegation is **SUSTAINED**.

Analysis: On the dates of October 10, 2019 and November 4, 2019, William Farwell conducted a CJIS query of Sandra Birchmore on a Stoughton Police Department computer. This CJIS query was not associated with any type of official police business.

Regarding the allegation that **Officer William Farwell** violated the CJIS, LEAPS, NCIC Data entry policy of the Stoughton Police Department Rules and Regulations, as well as the CJIS Individual User agreement this allegation Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: William Farwell conducted CJIS queries on *himself* on twenty-four (24) occasions using a Stoughton Police Department computer. This CJIS query was **not** associated with any type of official police business. The dates on which he conducted these queries are as follows;

October 3, 2017, January 18, 2018, January 20, 2018, February 16, 2018,
March 12, 2018, April 11, 2018, April 24, 2018, May 23, 2018, August 20, 2018,
October 4, 2018, November 19, 2018, December 31, 2018, January 24, 2019,

January 31, 2019, June 29, 2019, November 13, 2019, November 27, 2019,
December 20, 2019, January 24, 2020, April 18, 2020, August 9, 2020,
January 2, 2021, March 20, 2021, April 6, 2021

Robert Devine was a sworn member of the Stoughton Police Department from October 4, 1999 until his resignation on August 16, 2022. He was the designated officer-in-charge of the Stoughton Police "Explorers" from the years 2002-2014.

Sandra Birchmore was a member of the Stoughton Police "Explorers" group beginning in 2010 when she was thirteen (13) years old. She was on the stand-by list for the program in 2010, was a member in 2011 and remained in the program until 2016, the year she graduated from Stoughton High School. During the course of this investigation, various persons have described Sandra Birchmore [REDACTED]

Sandra Birchmore was found deceased at her apartment in Canton on February 4, 2021 after a well-being check when she didn't report to work. The Norfolk County District Attorney's office conducted an investigation and it was determined the manner of her death [REDACTED]
[REDACTED]

During the State Police investigation into Birchmore's death there was an analysis of her devices (cell phone, laptop, etc.) and social media platforms. This part of the investigation revealed that Sandra Birchmore had sent text messages to William Farwell informing him that [REDACTED] Robert Devine. She also sent William Farwell [REDACTED]
[REDACTED] (See EXHIBIT 13, Second interview draft of Robert Devine).

The investigation later revealed there was direct contact between Devine and Birchmore by Facebook messenger between November 27, 2020 and February 1, 2022. During some of their Facebook messenger communications the nature of the conversation was that Devine and Birchmore [REDACTED] There was also at least one instance where they met when Devine was on duty [REDACTED] [See Exhibit 30, Marty Riggs message exchange].

Findings:

Regarding the allegation that **Officer Robert Devine** demonstrated **Incompetence** when he failed to demonstrate "*sound judgement*" in violation of Section 3, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the date of December 21, 2020, Robert Devine failed to demonstrate "*sound judgement*" when he engaged in Facebook messenger communications with Sandra Birchmore while on duty for the Stoughton Police Department. The content of the text messages was that he requested Birchmore to meet him at the Chateau restaurant [REDACTED]

Regarding the allegation that **Officer Robert Devine** was **untruthful** in violation of Section 4, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On April 8, 2022, Robert Devine was interviewed by Paul L'Italien and Robert Fries at the MPTC training academy in Randolph. Mr. L'Italien and Mr. Fries were acted as delegates from Chief of Police, Donna McNamara during this interview. During the interview Robert Devine continually denied that he had any type of contact or relationship with Sandra Birchmore. When informed that at that stage of the investigation we hadn't found any direct communications between Devine and Birchmore he replied "*because you won't find it*".

Regarding the allegation that **Officer Robert Devine** failed in his **attention and devotion to duty** in violation of Section 7, of the Stoughton Police Department Rules and Regulations, this allegation is **SUSTAINED**.

Analysis: On the date of December 21, 2020, Robert Devine failed to demonstrate “*attention and devotion to duty*” when he engaged in Facebook messenger communications with Sandra Birchmore while on duty for the Stoughton Police Department. The content of the text messages was that he requested Birchmore to meet him at the Chateau restaurant [REDACTED]. The communications indicated that Devine arrived at the Chateau restaurant and that Birchmore was on her way to meet him there.

Investigative actions

On February 23, 2021, I opened a case file as a collection point for this case investigation. I queried all records pertaining to Sandra Birchmore within the department’s in-house computer database known as IMC. After a review of all records, I administratively locked access to these records with exception to access by Chief McNamara, me and Detective Sergeant O’Connor [records access officer]. I gave a verbal directive to Detective Sergeant O’Connor that if any records requests came in for Sandra Birchmore, that the Chief or I were to be notified.

On February 24, 2021 Detective Matthew Farwell was placed on paid administrative leave [Notice, Exhibit 3]. I was assisted by Detective Sergeant O’Connor. At that time, Detective Farwell turned in his equipment and department property as ordered by the memo for administrative leave.

On February 26, 2021, I took the IMC access control thumb drive of Matthew Farwell and had retired Executive Assistant Mary Dicastro verify that the thumb drive was in fact the IMC access and control drive. Ms. Dicastro verified that it was. The drive was kept in the box that is secured in my office [See inventory Exhibit 6].

On Friday September 3, 2021, after having previously received authorization from the Town Manager, I met with Captain (ret) Paul L'Italien. Mr. L'Italien is a retired Captain of the Massachusetts State Police and now works as an independent private investigator and consultant. I provided a brief overview of the Birchmore/Farwell matter. He signed a non-disclosure agreement at my request and I provided him with copies of several documents. The reports of the MSP were provided along with several pages of notes and journals that were kept by Birchmore.

On Thursday September 30, 2021, I met with Sergeant Fanning of the MSP ISU. I was given a thumb drive that contained evidence from the unattended death investigation of the victim Sandra Birchmore. A file labeled "evidence" contained [REDACTED] [REDACTED] Another file that was a PDF was titled "BlacklightCaseBirchmore". This file contained 50,000 pages of communications that were pulled from Birchmore's computer. The computer had been synced with her cell phone. The files were conversations, text messages, imessages and various forms of communication with her contacts. The document was challenging to review, in that it was not in a chronological order and messages were duplicated.

On Thursday September 30, 2021, I conducted a preliminary review of the thumb drive and observed many of the conversations [REDACTED] I notified Chief McNamara and the Town Manager by email that I would be viewing the files of this nature for investigative purposes [Exhibit 5].

On Tuesday October 5, 2021, I met with PI L'Italien and he requested that I sign a document from his investigation service. The document stated that he was receiving a flash drive [REDACTED] and that the purpose of his viewing it would be for investigative purposes. The letter also indicated that the files would not be copied and would be returned to me upon completion of this investigation. I signed the document and took a copy for the case file.

On Wednesday October 6, 2021, I met Sergeant Fanning at the Office of the District Attorney and I received from him Sandra Birchmore's MacBook Air. The laptop was placed into my case file for later review.

On Thursday November 4, 2021, I met with PI L'Italien and we conducted a strategic review of a thumb drive that contained a file named "blacklight report 2021-09-29-22-29-52". [Exhibit 4] This file was received from the MSP ISU and was the downloaded file from the laptop of Sandra Birchmore. The computer had been reportedly synchronized with her cell phone. During the review we observed and discussed conversations between Matthew Farwell, William Farwell [REDACTED] and a recruiter from the MA Army National Guard who was believed to be Birchmore's recruiting officer. We identified conversations that would be of interest to the US Military. We also noted that there were photographs and videos [REDACTED] that had been exchanged between Birchmore and William and Matthew Farwell.

On Tuesday November 9, 2021, I reviewed all available files that had been kept archived in the department's dead records storage. These files were in a WB Mason box labeled "Explorers" and had been placed there by me after I moved into my office in 2017. Previous to this, the files had been kept in the office that I currently occupy, by the former Deputy Chief, now Officer Robert Devine. Devine had been in charge of the Stoughton Police Explorers program in 2002 until approximately 2014. Among the students of the earlier classes were Matthew and William Farwell and later Sandra Birchmore. I located paperwork that had these names on it as well as class syllabi and other related documents that could be further used through the course of this investigation.

On Wednesday November 10, 2021, I continued a review of all related documents as referenced on November 9.

On Thursday December 2, 2021, PI L'Italien met and continued this investigation.

On Tuesday December 7, 2021, I met and conferred with [REDACTED]

[REDACTED] I served him notice that the [REDACTED]

[REDACTED] would be a witness in this case [Notice Exhibit 7]. I discussed in limited scope the case without citing names of involved or personnel and spoke in general terms. I advised him that a subject of this investigation has procedural due process rights and that I am also bound by the confidentiality of the policy concerning internal affairs. I discussed that [REDACTED] has direct knowledge of the relevant parts of this investigation and that he is a material witness. I discussed that he would be allowed to bring a representative with him for the witness interview. [REDACTED] inquired if he should place [REDACTED] on administrative leave and I told him that in my opinion, no he should not do that. I also advised him that if, during the course of the investigation [REDACTED] were to turn from a witness to a subject for any reason, that I would inform [REDACTED] as to the change in the scope. [REDACTED] inquired about knowing in the future of the broader scope of this investigation. I responded that given the most recent changes with police reform and POST, that he would likely be able to receive an unredacted copy of the investigative report when it is complete.

On Thursday December 9, 2021, PI L'Italien and I met and continued this investigation. On several dates throughout this investigation, PI L'Italien and I had ongoing discussions by cell phone and in person pertaining to the documents related to this case. Collectively, we performed word searches of the PDF that I had received from the MSP. Specifically, the "Black Light report" of communications that the victim Sandra Birchmore had with her contacts dating back to 2019.

On or about the dates of December 15, 16, 17 and 22, I met or conversed with Lt. Fanning. [Note that Lt. Fanning was promoted to Lt. in the month of December]. On December 16, 2021, while working with PI L'Italien, we conversed with Lt. Fanning in my office. I returned the Macbook Pro back to Lt. Fanning's custody.

On Tuesday December 21, 2021, I met with [REDACTED] for an interview; see persons interviewed summary below. PI L'Italien and I met [REDACTED] at the MPTC Randolph HQ building. I had previously arranged for the use of a room in the building. [REDACTED] was accompanied by [REDACTED]. After some small talk, I inquired if [REDACTED] had any idea why he was being interviewed. He said no. I informed him that the

investigation concerned the matter of Sandra Birchmore. After some discussion, I offered to allow [REDACTED] to stop the interview if he felt that he needed to consider the representation that he had. We began the interview as approximately 10:30AM. After approximately 30 minutes of questions, [REDACTED] asked to stop the interview for a break. After consulting with [REDACTED] [REDACTED] asked to stop the interview so that he could consult further representation. I obtained the name of the [REDACTED] that the [REDACTED] typically uses. I ended the interview advising [REDACTED] that he should communicate with only the attorney on this matter and I told [REDACTED] that I would arrange for another interview through the [REDACTED]

I communicated with [REDACTED] on December 21 and 22, 2021 about the outcome of the first interview and arranging for a continuation of the interview on the week of 12/27. [See Exhibit 8, order of [REDACTED]

On Wednesday December 22, 2021, I met with Lt. Fanning of the MSP and received the data files from Birchmore's computer. This version of the data was exported into the Cellbrite data management program.

On Wednesday December 22, 2021, I received at my request all available pet adoption files from [REDACTED] that had been previously stored at the Stoughton Animal Control Shelter. [REDACTED] I attempted to locate adoption papers where Sandra Birchmore adopted a cat from the shelter 2-3 years ago. I conducted a complete review of the files that were given to me. No such document were located. The files were returned to the ACO.

On Tuesday January 11, 2022, I received confirmation via email from [REDACTED] that we were to meet at MPTC Randolph for a continuation of the first interview. The meeting would take place on Thursday January 20, 2022. I neglected to confirm the arranged date with [REDACTED] and as such the interview was rescheduled. PI L'Italien and I continued the investigation for several hours.

Between January 10 & 11, I made contact with DLt. Kenneth Heffernan of the MSP Crime Scene Services division. I requested a forensic analysis of the couch that is located in the [REDACTED]. After the DLt. received authorization to assist with this administrative investigation through his chain of command, we arranged for the unit to response on Friday January 14, 2022 at 1000hrs at the [REDACTED]. PI L'Italien was also authorized to attend/participate.

On Friday January 14, 2022, I met PI L'Italien, Detective Lieutenant Kenneth Heffernan of the MSP crime laboratory and forensics technician Jennifer Preisig at the [REDACTED].

[REDACTED]

[REDACTED]

On Wednesday February 9, 2022, Investigator L'Italien and I met with [REDACTED] at the Abington Town Hall in a previously reserved conference room. Present with him was his [REDACTED].

See persons interviewed summary below.

On Thursday February 17, 2022, I had a discussion with Patrolmen's Union President Barber pertaining to notification of an interview with Officer Matthew Farwell. On Friday February 18, 2022, President Barber agreed to accept Farwell's interview notice and he was to hand serve him the notice. On February 22, 2022, I received an email from Attorney Patrick Hanley who represents Matthew Farwell. Attorney Hanley confirmed an interview date of March 7, 2022.

Between the dates of February 22, 2022 and March 11, 2022, through a series of phone calls and emails between Attorney Hanley and myself and at some points, through Town Counsel, Matthew Farwell resigned from his employment with the Town effective April 1, 2022. A previous communication from his Attorney indicated that Matthew Farwell would not be participating in an interview in this matter. Upon receipt of the resignation letter, Chief

McNamara had the resignation stamped by the Town Clerk Stephanie Carrara as official receipt by the Town on March 11, 2022 [Exhibit 28]. An interview was drafted. Had Matthew Farwell been interviewed, he would have been asked a series of questions as detailed in Exhibit 2.

On March 28, 2022, I left a message for witness [REDACTED] inquiring about scheduling an interview for this investigation. [REDACTED] later returned my call and scheduled an interview for Saturday April 2, 2022 at 10:00 AM. [See persons interviewed summary]

On or about March 28, 2022, after some previous discussions between myself, PI L'Italien and Chief McNamara, it was decided that I would not participate in the interview or notice of interview of Officer Devine. PI L'Italien brought the assistance of PI Robert Fries [DLt, MSP retired] to assist in the interview of Devine.

On March 12, 2021 Officer William Farwell was served notice that he was under investigation. Note: William Farwell was at the time on military leave detailed to his MA Army National Guard unit and had been deployed since for several months. His anticipated return to full duty date was May through July 2022.

On Thursday March 31, 2022, I made contact with [REDACTED] in an attempt to get a contact number for [REDACTED] I later received a call back from [REDACTED] and [REDACTED] cell phone number to me. I then made contact with [REDACTED] by cell phone. We spoke briefly and arranged to meet for an interview early next week. [REDACTED] was at a work event and requested that we communicate via text to arrange a date and time to meet at her [REDACTED] home, as she works from home.

On April 4, 2022, it was determined based on a review of some of the evidence that PI L'Italien and I had obtained, that Officer Devine should be placed on paid administrative leave. A discussion was held with TM Robin Grimm, Chief McNamara and myself in the Town Manager's office on Monday April 4, 2022. I provided an investigative update per the Stoughton Police Department internal affairs policy. Relevant to the decision to place Officer Devine on paid leave was evidence received during the investigation showing that [REDACTED]

[REDACTED]

It was decided that on the basis of the information available that the interests of the department and the Town would be best protected by placing the officer on paid administrative leave. Officer Devine was served a notice of this at 1545 hrs and served a notice of investigative interview that would be conducted by PI L'Italien.

Further discussion was held about the role of Officer William Farwell. I reported that it was believed and evidence showed that Officer William Farwell had frequent contact [REDACTED]

[REDACTED]

A determination was made to place William Farwell on paid administrative leave. Chief McNamara called Farwell by phone on April 12, 2022 and he later reported to the station. I assisted in the discussion and retrieved his department equipment. Farwell was present with Union President Barber.

On Wednesday April 6, 2022, I interviewed [REDACTED] at her home in [REDACTED]

[REDACTED] [See persons interviewed summary below].

On Thursday April 7, 2022, I received a text message from [REDACTED]. The text was a screenshot of the comments section of a Facebook post commenting on the recent Boston Globe article on the resignation of Matthew Farwell and [REDACTED] of Sandra Birchmore. The post was by a person using the screen name of [REDACTED]. The post alleged that Birchmore's friends had been contacted by members of the Stoughton Police Department after her death and that the friends were threatened and called liars. Subsequent to this, I had a discussion with MSP Lt. Fanning. We spoke about the possible implications of MGL Ch. 268, s. 13B, known as the witness intimidation statute. We resolved that should any witnesses describe a violation of this statute, that I would inform Lt. Fanning and re-evaluate.

On Friday April 8, 2022, I identified [REDACTED] formerly of [REDACTED] I located a cell number [REDACTED] and left her a message at approximately 1325 hrs. I attempted her cell again at approximately 1800 hrs and did not receive a response. To date, I have not located a cell phone number for [REDACTED] and will continue to attempt to make contact with [REDACTED] in reference to her Facebook post about threats by members of the Stoughton Police Department. This person was eventually located and briefly and interviewed by PI L'Italien; see persons interviewed summary below.

On Friday April 8, 2022, I left a message for [REDACTED] to attempt to schedule an interview with [REDACTED] I later heard back from [REDACTED] and we scheduled an interview for 1100 hrs on Monday April 11, 2022. I received a voicemail from [REDACTED] on Monday April 11, 2022 asking that we reschedule. I returned [REDACTED] phone call [REDACTED] mentioned retaining an attorney. I sent [REDACTED] an email confirming the substance of our conversation asking that the attorney contact me.

On Monday April 11, 2022, I spoke to [REDACTED] I informed [REDACTED] that [REDACTED] is a witness in this case. After a brief discussion, we arranged to meet at the MPTC at 10:30 on Wednesday April 13, 2022.

PI Fries assisted me in the interview of [REDACTED] [See persons interviewed section below].

On Thursday April 14, 2022, I was contacted by Lt. Fanning of the MSP. [REDACTED] informed me that a [REDACTED] identified as [REDACTED] had called the MSP duty office. When Lt. Fanning returned the call [REDACTED] reported that [REDACTED] had been a police explorer in the earlier years of the program. [REDACTED] described that [REDACTED] had observed inappropriate behavior by Devine, and the Farwell brothers while they served as instructors in the program. [REDACTED] indicated that there had been some hugging, kissing and inappropriate contact in a closet. [REDACTED] also stated that there were suggestive statements to the effect of "come back and see me after you turn 18" and other such activity that suggested [REDACTED] Lt Fanning was to brief the ADA in charge of sexual assaults on the matter and get back to me as to a statue of [REDACTED]

On Monday May 2, 2022, I received a name and contact number from Chief McNamara for [REDACTED] who identified herself as [REDACTED] reported that [REDACTED] had an incident with Matthew Farwell in August of 2021 and that the matter may have involved a crime on the part of Matthew Farwell. I called [REDACTED] cell phone number [REDACTED] returned my call on the same afternoon and we spoke on a recorded line [REDACTED] reported the following as described below:

[REDACTED]

I stopped the interview and told [REDACTED] that I would be reaching out to the Massachusetts State Police and that either I or the MSP would be getting back to her with the next steps. The recording was downloaded and saved to a thumb drive [Exhibit 12].

I reached Lt. Fanning and he was briefed. He called me back after consulting with his chain of command and told me that Tpr. Kathleen Prince would be reaching out to me to follow up on this allegation. I received a call from Tpr. Prince on Tuesday May 3, 2022 about this allegation. I hand delivered an information packet to Tpr. Prince at the Canton office of the NCDA. On Tuesday May 17, 2022, I was updated by Trooper Prince that she has not

successfully made contact with [REDACTED] to arrange for an interview. Tpr. Prince indicated that when she contact [REDACTED] the call goes directly to voice mail.

On Tuesday May 17, 2022, I met with Lt. Fanning and an associate of PI L'Italien named Michael Bates [MSP DSgt ret.]. Mr. Bates owns a consulting company and specializes in the forensics of internet technology. Mr. Bates along with PI L'Italien and PI Fries met at the MPTC in Randolph on Tuesday May 17, 2022 for strategy and planning discussions. On May 17, while reviewing with Lt. Fanning the contents of Sandra Birchmore's laptop, we discovered a conversation thread that was contained in the Facebook messenger files. The contact appeared to be either a blocked or anonymous Facebook user. Based on the content and context of the conversation, the user appears to be Officer Robert Devine. The person is an attorney, an employee of the Stoughton Police Department and discusses among other things meeting with Sandra Birchmore, while on duty, in a patrol car [REDACTED]. The conversation discusses meeting locations in Stoughton. Sandra also discusses [REDACTED] with the Facebook user who is believed to be Devine. After further investigation, the Facebook user was identified as "Marty Riggs". The entire exchange is detailed in Exhibit 30.

On Thursday June 2, 2022, I met with [REDACTED] [REDACTED] spoke with her briefly and inquired about digital imagery of Sandra Birchmore's apartment during the two months that she was a tenant. I also asked about payment records that she may have had. She looked up what Sandra had on file for her.

On Monday June 6, 2022, I provided PI L'Italien with four investigative file [REDACTED] [REDACTED] He was to conduct interviews of these individuals. We discussed the scope of the interviews.

On Tuesday June 7, 2022, I met with Lt. Fanning and received a 64 GB thumb drive of the data pull from Sandra Birchmore's two cell phones. The format was in Cellebrite reader and is a more legible and delineated format. The thumb drive was passed on to PI L'italien and was given to PI Michael Bates for further analysis.

On Thursday June 9, 2022 , I requested a CJIS offline search of any and all CJIS users within the Commonwealth that may have queried Sandra Birchmore or her vehicle [Exhibit 20].

On Thursday June 9, 2022, PI's L'Italien and Fries met with [REDACTED] at her home in [REDACTED]. The interview had been previously arranged to take place at 5:30 PM. See persons interview summary below.

On Thursday June 9, 2022, I asked Union President Barber to serve a notice to William Farwell. The following day, I received a confirmation and a request that the date of the interview be pushed back by a week. On behalf of the Town, I honored that request. On Tuesday June 14, 2022, President Barber came to my office indicating that Farwell had previously spoke to him about his interpretation of the USSERA act and that he had located a staff investigator from the US DOL. He provided me with the contact information and asked that I contact the investigator, William Coughlin.

On Friday June 10, 2022, I received a response to my offline search request. Responses would be limited to Stoughton CJIS user data only, per CJIS policy. I discussed with the CJIS director a process for obtaining statewide information. I then submitted a second request for an offline search for all queries of CJIS users Matthew Farwell, William Farwell and Robert Devine.

On Tuesday June 14, 2022, I sorted previously held files from the police explorers program and took only those files and documents with investigative relevance to 21-1-IA. All old files were archived in the dead records room in the basement and marked "Police Explorers Old" and taped shut in the event that a future need arises for further review of these files.

On Thursday June 23, 2022, after discovering that William Farwell had violated the CJIS policy and user agreement by querying his own personal data on an intermittent basis for the entire time he was a user, I made contact with SSRA Kate Kelley of the FBI and asked that she query William Farwell's personal data through their database. A query was made and no outstanding or archived records were located. We discussed the possibility of a VICAP query at

a later date, as in my opinion, a CJIS authorized user performing multiple queries of themselves, is highly suspect and unusual. The query files were also shared with PI L'Italien to be incorporated into the interview of William Farwell.

On Thursday June 23, 2022, I was made aware by [REDACTED] [REDACTED] had been making allegations on social media about getting into a fight with a female member of the Stoughton Police Department "last week". I asked [REDACTED] to send a message to the user on facebook messenger from the Stoughton Police Department Facebook page. The feature would not function or allow a message to be sent. I reviewed the Facebook page for [REDACTED]. There appears to be a low occurrence of activity on the account and is likely a Facebook alias page. I copied the post and entered it as an exhibit [Exhibit 15].

On July 21, 2022, I emailed William Farwell a notice of an investigatory interview. I received a response from Masscop Attorney Patrick Bryant acknowledging receipt of the interview notice among other things. Attorney Bryant indicated that there were schedule conflicts for the date of July 28, 2022.

On Tuesday July 26, 2022, Patrol Union President D. Barber requested on behalf of Officer W. Farwell that he be allowed to come to the station to clear out his locker of personal belongings. Barber did not have any disposition of Farwell's intent or plans to resign from his employment. I arranged to be present with Barber and Farwell while he retrieved personal property from his locker [Locker #10, men's locker room]. At Farwell's request, a tridium front post sight and a streamlight TR1-HL was removed from his department issued firearm [Chief's custody since admin leave] was returned to him upon his arrival at the station on Tuesday July 27, 2022 [10:30 AM]. In turn, he returned the department's original issue front post sight for his department issued Glock pistol. While clearing out his locker, he returned a duty belt, radio charger, belt keepers, handcuffs, vest carrier [2], and an extra radio [Motorola APX 4000] that he had been using for his collateral work on radios. He removed 3 boxes full of property and placed them in his personal vehicle and then returned and went through his department mailbox. He then left the station accompanied by Det. Barber.

William Farwell tendered his resignation to Chief McNamara via Patrol Union President Barber. The resignation was effective August 1, 2022. An interview was drafted. Had William Farwell been interviewed, he would have been asked a series of questions that are detailed in Exhibit 14.

On August 5, 2022, [REDACTED] were served notices of witness interviews for interviews that were to take place on Thursday August 11, 2022.

On August 12, 2022, I inquired of the school department about school records that could be in existence for [REDACTED]. I was interested in guidance, adjustment and school psychologist records to include notes. I received a reply on Monday August 15, 2022 that only academic records existed and that what I was seeking no longer existed.

On Monday August 15, 2022, I was made aware by Chief McNamara that Robert Devine had resigned from his position as a patrol officer, effective Tuesday August 16, 2022. The letter to Chief McNamara indicated that he was filing for retirement, among other discussion. Devine requested that if there was any new area to cover with him concerning this investigation, to send it to him in writing. I mailed a series of question to Devine [Exhibit 17] and he later replied by mail [Exhibit 19].

On Monday August 22, 2022, I began compiling PDF files from the Cellebrite program onto a terabyte drive [Exhibit 10]. to permanently preserve the documents as they are too large to print. Some excerpts of communication from these drives were pulled to create exhibits for interviews.

On Wednesday August 24, 2022, PI L'Italien returned to me all raw data that had been contained on thumb drives, that he had been given by me so that he could collaterally review the investigative data. I wiped these files clean as they were redundant to exhibits that are referenced in this report, and I destroyed the thumb drive.

On Thursday August 25, 2022, I received via first class mail, a letter from Robert Devine in response to my questions that were mailed. [Exhibit 17]. Devine's response [Exhibit 19] was received by me after I documented his credibility assessment as part of this report. I maintain this assessment despite Devine's response. I assess Devine's responses to be consistent with his credibility. Devine opened his response by indicating "of course I desire to cooperate". His response to the third question outrageously makes claims about accounts being hacked.

I performed an IMC in-house records checks of Devine [Exhibit 33] and located no incident reports in which Devine reports being hacked or is the victim of a computer crime. [Note: he is listed as victims of other crimes such as A&B PO]. This response is a consistent theme that was developed and employed throughout the investigation of Paul White [June 2015 investigation];

Persons Interviewed

[REDACTED]

PI L'Italien and I interviewed [REDACTED] at MPTC Randolph On Tuesday December 21, 2021 at approximately 10:30 AM [REDACTED] was accompanied by [REDACTED]

[REDACTED] The following summarizes the interview:

[REDACTED]

He is friendly with the Farwell brothers and Officer Devine. He would not describe the relationship as a close friendship.

[REDACTED] met Sandra Birchmore when [REDACTED] was not certain of the exact time frame of this. He befriended Sandra. [REDACTED] prior to his employment as an [REDACTED] She would often visit [REDACTED] is familiar with the difficulties that Sandra Birchmore encountered in life.

[redacted] is familiar with Sandra Birchmore's [redacted] with Matthew Farwell. He would discourage her from high expectations of where the relationship was headed. There were discussions between [redacted] and Sandra Birchmore that described [redacted]

[redacted]

When I inquired about [redacted]
[redacted] he took a break with his [redacted] He returned to the interview room and indicated that he wanted to consult with legal counsel before proceeding with the remainder of the interview.

[See also, transcription T-6]

[redacted] second interview

A second interview of [redacted] was conducted on February 9, 2022 at 2:00 PM at the Abington Hall in a pre-arranged conference room. Heal was present with [redacted]

[redacted]

[redacted]

We discussed [redacted] use of different social media accounts. He told us of the ones that he currently has and previously had [redacted] elaborated [redacted]

[redacted]

Matthew Farwell used some type of location sharing application so that he could track the location of Sandra Birchmore. [REDACTED] was also familiar with an extensive message that Sandra Birchmore drafted and sent to [REDACTED]. The nature of the message was ultimately intended to be sent to Matthew Farwell. [REDACTED]

[REDACTED] Sandra was telling [REDACTED] that Matthew was [REDACTED]

[REDACTED]

[REDACTED]

On April 6, 2022, I interviewed Angelique Pirozzi in her home in South Boston. We spoke for a short while before I turned the recorder on, about the internal affairs process. After the recorder was on, Angelique explained that she is Sandra Birchmore's mother's first cousin [Denise Birchmore]. She explained when asked her education, current employment [National Education Association] as a legislative advocate. She spoke of her learning of the death of Sandra and her later interview with the MSP. Her goal in being interviewed was to raise awareness about Sandra's relationship with Matthew Farwell and how the relationship had grown toxic prior to the end of Sandra's life. She went on to describe the pressure that Sandra was placing on Matthew Farwell to participate in the baby's life. Generally things were not going well and Angelique was encouraging Sandra to back off of pressuring Matthew.

[REDACTED] had breakfast with Sandra a couple of weeks prior to her death. After this, Angelique learned about the pregnancy after communicating with

Sandra giving [redacted] advice. [redacted] had concerns for Sandra's well being based on the fact that she was in a relationship [redacted]

[redacted] received contact from many of Sandra's friends after Sandra's death. She communicated with them and received a lot of second hand information about the relationship. She also learned that [redacted]

We discussed the police explorers program. [redacted] was unfamiliar with the program but described Sandra as [redacted] had second hand knowledge that Sandra had babysat for Matthew Farwell and his wife, in the past. Based on her knowledge, notwithstanding it being second hand, when asked if [redacted] believed that Sandra [redacted] When asked if [redacted] thought Sandra Birchmore was a person who could be [redacted] When asked if she believed that Sandra Birchmore had been [redacted]

[See also transcription T-2]

[redacted]

Contact was made directly by me and later by PI L'Italien by phone in an attempt to interview [redacted] This investigation identified [redacted] as a long time and close friend of Sandra Birchmore. After discussion with [redacted] she did not want to be interviewed in a formal capacity. She was later interviewed by telephone by PI L'Italien; see interview summary below.

[REDACTED]

I made contact with [REDACTED] through investigative means. He provided a cell phone for [REDACTED] indicating that [REDACTED] [REDACTED] [REDACTED] After several attempts by me and later by PI's L'Italien and Fries, [REDACTED] would not respond and was ultimately not interviewed by me. She was interviewed by phone by PI L'Italien; see interview summary below.

Officer Robert Devine

On April 11, 2022 Officer Devine was interviewed at the MPTC Headquarters in Randolph, MA. PI's L'Italien and Fries conducted the interview. Attorney Patrick Bryan was present to represent Devin on behalf of the patrolmen's union. The interview is summarized below:

Devine took over control of the police explorers in approximately 2003. He stated that it was in existence prior to his assignment as the juvenile officer. He was ordered to run the program by the former Chief [Cachopa]. After taking over, Devine gave the first group that he took on, the option of making the program less about scouting and to run it like a junior police academy. The group went with this option and the program remained that way until it ended.

Devine described the program, its structure, rank, ride alongs, and age groups [13-18 YOA], requirement for parental consent as well as advertising for the program were also discussed.

Devine met the victim Sandra Birchmore when she entered to the program in 2011 at age 14. He was familiar with the difficult home life that she had both while in school, as an explorer and as an adult.

When asked if he kept in touch with her, Devine said that he had not but that Sandra Birchmore would find him, but she never had his cell phone. He discussed her obsession with police officers. He would meet her while he was on duty and she would offer to bring him coffee etc. They would typically talk for a while and then he would leave. This occurred about once per week.

Devine denied having any type of social interaction with Sandra Birchmore outside of his employment with the Town.

Devine discussed how Sandra Birchmore would exaggerate stories and he spoke of her telling him of [REDACTED]

Devine discussed an encounter where Sandra Birchmore approached him at Doyle's pub in Brockton at around the time of her 21st birthday. She approached him at the bar and he left.

Devine denied that he communicated with Sandra Birchmore on any texting, messaging, social media platform, burner phone, snapchat, or otherwise. He spoke of the [REDACTED]

Devine found out about the relationship between Matthew Farwell and the victim Sandra Birchmore "When he got put out on leave" and later qualified his response that Sandra Birchmore had mentioned the relationship previously as a consenting adult. She spoke to Devine about her relationship with William Farwell; Devine did not believe her.

Devine admitted to engaging in flirtations behavior with a former police explorer and police intern named [REDACTED]. He also spoke about former police explorers that he has kept contact with as adults.

Devine denied knowledge of the Parwell brothers being accused of impersonating police while they were teenagers and pulling cars over [Exhibit 11]
[See also, transcription T-5]

Second interview of Robert Devine

A second interview had been scheduled for Thursday August 18, 2022. Devine resigned pending his application for retirement, from employment prior to the interview date. The resignation was effective August 16, 2022 and in a letter from the appointing authority accepting the resignation, there was a reference to retirement.

Devine authored a letter that was delivered to Chief McNamara by me, that I received from Union President Barber. The letter had Chief McNamara's address in the heading but was addressed "To the Stoughton Police Department". In the letter, Devine harshly criticized the investigation and in the second paragraph requests that if we have new ground to cover, to send it to him in writing. Exhibit 17 encompasses this letter and a letter that I sent to Devine via First Class Mail with a deadline to respond by Friday August 26, 2022.

[REDACTED]

On April 11, 2022, I interviewed [REDACTED] was present with [REDACTED] during the interview. [REDACTED]

[REDACTED]

[REDACTED] was familiar with the fact that Sandra Birchmore was in the police explorers program because they spoke about it. [REDACTED] was unfamiliar with members of the Stoughton

Police Department other than Sandra Birchmore speaking about some members that Sandra Birchmore pointed out to him while they were driving together.

When asked about a text message that [REDACTED] had sent to Sandra Birchmore about asking [REDACTED] for money, and money owed, [REDACTED] had absolutely no recollection of the conversation. [REDACTED] was shown the text message in which he threatens to disclose Sandra Birchmore's relationship with members the Stoughton Police Department if she would not re-pay the debt owed to the "girls".

[REDACTED] recalled that Sandra Birchmore had mentioned [REDACTED] Matthew and William Farwell in their past conversations.

[See also, transcription T-3]

[REDACTED]

On April 4, 2022, I interviewed [REDACTED] at approximately 10:00 AM in my office for a pre-arranged interview. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] had Sandra Birchmore [REDACTED] as Sandra struggles in the area of math. Sandra would have been in the seventh grade and approximately age 12 or 13. As a general impression [REDACTED] indicated when asked that Sandra was socially [REDACTED]

[REDACTED] She would often accuse students of bullying her and spent a lot of time in guidance. [REDACTED] felt that Sandra would exaggerate her accusations. She was a good kid with a kind heart. When I read a list of symptoms that described [REDACTED]

[REDACTED]

[REDACTED]

When asked if she discussed drama at the Stoughton PD, [REDACTED] spoke of Sandra talking to her about this [REDACTED] indicated that Sandra was "obsessed" with the Stoughton Police. [REDACTED] indicated that Sandra mentioned the high level of stress and officers seeking outlets to relieve the stress. [REDACTED] punctuated her remarks by telling Sandra that [REDACTED]

[REDACTED]

[REDACTED] reconnected with Sandra as an adult via social media and eventually phone and [REDACTED] was aware that Sandra also reconnected with other former teachers.

Sandra never mentioned the names of department members that she had associations with when speaking with [REDACTED]
[See also, Transcript T-1]

[REDACTED]

On April 13, 2022 [REDACTED] was interviewed by PI Fries and I at MPTC Headquarters in Randolph, MA at approximately 10:24 AM. The nature of the investigation was discussed [REDACTED] has been employed [REDACTED]

[REDACTED] named some of the members of the Stoughton Police Department with whom he associates. It is mostly members of the 0000-0800 shift and some 1600-0000 personnel.

[REDACTED] graduated from Stoughton High School with the victim Sandra Birchmore. He did not associate with her during high school.

[REDACTED] is a part-time employee [REDACTED]

[REDACTED] The first time that he saw Sandra Birchmore after high school was when she came to the

store on or about the year 2019 and sought information on a License to Carry application

██████████actical hosts the Massachusetts Basic Firearms Safety class, which is a requirement for first time LTC applicants]. They became friends on facebook and began talking on occasion. ██████████ ran into Sandra Birchmore one night at the House of Brews and spoke briefly; they were there with separate friend groups.

██████████ maintained that the relationship was merely an acquaintance. They met on one occasion for pizza at Town Spa and the conversation was casual. They communicated by cell phone, text messaging and Facebook messenger prior to that. At the Town Spa, ██████████ felt that she was communicating with ██████████ because she knew he was an ██████████ ██████████ and she would often contact ██████████ about calls that were happening around Town that she saw as she would drive around Town. ██████████ characterized, when asked, that Sandra Birchmore was erratic and the conversation at the Town Spa was all over the place. ██████████ was aware of her strong desire to become a police officer.

██████████ is aware of who William Farwell, Matthew Farwell and Robert Devine are. ██████████ does not socialize with any of them. ██████████ was shown a record of text messages that had been sent by Sandra Birchmore to a group chat in where she claims to have been invited to Robert Devine's house and that she was going ██████████ who is a friend of hers.

██████████ was unfamiliar with this discussion and denied ever having been to Robert Devine's house with or without Sandra Birchmore [emphasis added]. ██████████ was unaware of any communication that was happening between Robert Devine and Sandra Birchmore, and Sandra Birchmore never mentioned the subject. She discussed her relationship with Matthew Farwell over text messaging. ██████████ was aware as of June of 2019 [approximately] that Sandra Birchmore had been in an "on again-off again" relationship with Matthew Farwell. ██████████ was uncertain of when the relationship began. ██████████ did not believe Sandra Birchmore because she had a reputation dating back to high school for embellishing stories.

When offered a closing comment, ██████████ stated that there came a point shortly after meeting Sandra Birchmore at the Town Spa that ██████████ had to block her contact on multiple

platforms because she was making him uncomfortable. She would show up to locations where [REDACTED] was hanging out with friends.

[See also, transcription T-4]

[REDACTED]

On Thursday June 9, 2022, PI L'Italien and Fries interviewed [REDACTED] in her home. Both investigators were provided a copy of the MSP investigative report.

Copied below is the interview summary of [REDACTED]

L'Italien Investigative Services
Paul J. L'Italien #LP0952
Licensed Private Investigator
P.O. Box 1435
Pembroke, MA 02359

June 13, 2022

Deputy Chief Brian Holmes
Stoughton Police Department
26 Rose Street
Stoughton, MA 02072

Subject: [REDACTED]

June 9, 2022

On Thursday, June 9, 2022 at 5:30 PM I met with [REDACTED]

[REDACTED] The meeting took place at her home in an outside patio area. I had spoken to her by phone earlier in the week and she agreed to meet with me to discuss her knowledge about Robert Devine and the Stoughton Police Department Explorers from the early 2000's. [REDACTED] had previously met with and was interviewed by Lieutenant John Fanning and Trooper Kathleen Prince of the Massachusetts State Police regarding this same topic. Mr. Robert Fries of Bridgewater accompanied me on this interview and was present for its entirety.

[REDACTED] read an article in the Boston Globe relative to the death investigation of Sandra Birchmore. The article prompted her to contact the District Attorney's office. On April 19, 2022 she met with and was interviewed by Lieutenant Fanning and Trooper Prince. During the course of our interview, we referred to the report of the State Police interview which was written by Trooper Prince.

[REDACTED]

[REDACTED]

Robert Devine was an officer at the school who acted as a lunchroom and hallway monitor and also chaperoned a group of kids who stayed after school for open gym. [REDACTED] was very open about having a crush on Devine during that timeframe. She stated she wrote him a letter and explained the content of the letter by saying "Yeah, basically professing my love for him and how beautiful I thought he was. It's very cringing and embarrassing, but yeah, I wrote him a very

detailed letter about my feelings for him". Her memory was she wrote the letter in October and had a very good memory of it because the events of September 11, 2001 had just occurred.

[REDACTED] continued that she handed Devine the letter and although he didn't read it in her presence he gave her a "hug" and was "laughing a little bit" when she saw him in the following days. I asked if he ever addressed the fact that this letter was not appropriate considering her age and his role and she answered "not at all". When I asked specifically about the hug, she described it as "definitely a squeeze" and continued that Devine often hugged students and he always initiated the hugs. When asked if Devine ever touched her sexually she was clear he never did.

I referenced the State Police report (paragraph 3) and asked about the occasion when he brought her into an office during open gym. She stated it occurred a couple of months after she gave him the letter. She had heard he was engaged to be married and she was "sobbing". Devine led her to a room that she thought could have been a gym teachers office. Once inside, Devine closed the door and lifted her on to the desk. Devine told her she was "a knockout and that he was going to take me on a date when I turned 18". She continued that he gave her a hug and kiss on the forehead. When asked to describe the distance from the gym to this office she stated it was a good distance from the other kids and nobody could have heard them talking.

I asked if there were ever any other adults present during open gym. She stated there was occasionally another officer but never anyone who worked for the school system. She stated there were generally eight to fifteen (8-15) kids present for open gym and offered "the Farwell's were there". She stated they were teenagers at the time and "they were there for all of it. They were under his wing. They knew that I was obsessed in love. They were there for all of it. There was one point, where I believe it was Matt Farwell, I sobbed in his arms because he (Devine) was getting married. They were there for all of it". She later added the Farwell's [REDACTED]

[REDACTED] by Devine. She continued [REDACTED]

[REDACTED] continued that she regularly visited the police station to see Devine. She lived within walking distance and was allowed to go past the lobby area to Devine's office. She described an occasion when the shirt she was wearing was revealing of her cleavage and that Officer Tracy told her to pull up her shirt. She added that although she was too young to be a formal member of the Explorers program she attended the meetings at the police station on Wednesday evenings.

[REDACTED] stated that Devine had provided his Instant Messenger username to some of the boys in the Explorers group. One of the boys named "John" with the nickname "JR" gave her the username and she attempted to communicate with Devine using the platform. She stated there were a few short messages between the two and that her father's girlfriend observed her communicating with Devine on the computer. The girlfriend confronted Devine on-line telling him he was a "creep" [REDACTED] and Devine blocked her after that. Her father's girlfriend's name was [REDACTED] is no longer in touch with.

[REDACTED] stated there was a second letter she wrote that was meant for Devine. Her mother found the letter before it was delivered. After her mother found the letter she "stormed over to the police station" to confront Devine. She described her mother as furious because Devine didn't reach out to her or anyone else about her behavior and "just scoffed it off a little".

[REDACTED] stated this is the occasion that led to her not attending the Explorer meetings any longer. It was her memory that it was the decision of her parents that she no longer attend. She was not aware of anyone from the police station telling her or her mother she could no longer attend.

[REDACTED] next described an occasion on Easter weekend (2002) when she attempted to place a phone call to Devine's home. It was this event that ending her good relationship with Devine. She stated that she found his phone number and address in the phone book and that Devine did not provide this information to her. Following this event her parents [REDACTED]

[REDACTED]

Following the Easter weekend incident, she no longer interacted with Devine. She did offer him an apology when she saw him in school but after that she didn't attend open gym. She stated there were occasions when she'd see him in Stoughton. She described occasions when she observed him with girls who were middle school age driving with him in his personal car. She further stated there were occasions when she and her friends were walking around town and he'd pull up to talk with them. She stated this occurred at times when he was in a police cruiser and at other times when he was in his own car. She stated there was another occasion when she was in the eighth grade and was smoking a cigarette outside the high school. He made a comment to her about the cigarette and later reported it to her mother.

Toward the end of the interview, I asked [REDACTED] if she thought Devine was acting as a big brother or father figure to the kids at the school or the kids in the Explorers. To this she answered "he was definitely not like the father figure. He definitely seemed to be showing off, and loving attention from kids, and basking in kids admiring him". She insisted there had never been any type of sexual activity between her and Devine [REDACTED] thanked us for meeting with her and stated she would remain available and we could contact her at anytime with any further questions.

This report is a summary of the interview with [REDACTED]. The interview was approximately forty-one minutes in duration and was recorded and later transcribed. A copy of the transcript is an exhibit associated with this report.

Respectfully Submitted,

Paul J. L'Italien #LP0952
Licensed Private Investigator
MSP Det. Captain, Retired

[See also, transcription T-8]

June 17, 2022

Deputy Chief Brian Holmes
Stoughton Police Department
26 Rose Street
Stoughton, MA 02072

Subject: Phone interview of [REDACTED]
Phone interview of [REDACTED]

On Thursday, June 9, 2022 at 7:00 PM I spoke by phone with [REDACTED]

[REDACTED] Earlier in the evening I had left a message for her and she returned my call. Robert Fries was present for the interview as I spoke to [REDACTED] on speaker phone [REDACTED] had spoken to the MA State Police following the untimely death of Sandra Birchmore. She did not wish to meet with us in person nor did she wish to be named as a formal witness to this matter.

We spoke with [REDACTED] for approximately twenty-six minutes. Her major focus was that she believes Sandra "would never commit [REDACTED]". She offered no first-hand information other than her believe. When asked if she ever met Matthew Farwell or William Farwell she stated she had not. When asked if she had any information regarding Robert Devine she stated she's "aware of his history" but Sandra had never mentioned his name. [REDACTED] added that she was living in [REDACTED] during the COVID pandemic and quarantine and stayed in touch with Sandra by text and video messaging. Sandra shared information with her [REDACTED]

[REDACTED] was clear that her major concern was her suspicion that Sandra had not [REDACTED]
[REDACTED] She stated she has been in touch with Lieutenant Fanning of the State Police regarding [REDACTED]

her suspicion. It is important to note that [REDACTED] did the majority of the talking during our conversation but added nothing first-hand that could be of assistance to this investigation.

[REDACTED]
Phone interview conducted by PI L'Italien and Fries

On Friday, June 17, 2022 at 10:00 AM I spoke by phone with [REDACTED]
[REDACTED] was at work when I called
but agreed to speak with me for a few minutes. [REDACTED] had made a Facebook post [REDACTED]
[REDACTED] about the untimely death of Sandra Birchmore and members of the Stoughton Police
Department.

[REDACTED] stated she hadn't spoken to Sandra Birchmore "in years". She continued by saying "I wouldn't consider her a friend". They knew each other in Middle School and they both graduated from Stoughton High School. She had no first-hand information about Sandra's death and admitted that everything she had heard was from friends and family of Sandra who posted information on-line. I asked if she had spoken to any of the friends or family and she stated she had not.

She stated that the material she read on-line was that certain members of the Stoughton Police Department had "preyed on her instead of mentoring her". I asked if she had been involved in the Explorers and she stated she had not. [REDACTED] could not speak for long but stated she was glad to see the matter is being investigated.

Respectfully Submitted,

Paul J. L'Italien #LP0952
Licensed Private Investigator
MSP Det. Captain, Retired

[REDACTED]

On Thursday August 11, 2022, [REDACTED] was interviewed at the MPTC Randolph headquarters. We reviewed [REDACTED] employment history with [REDACTED]. We [REDACTED]

[REDACTED]

We discussed other roles with the school department, youth programs and initiatives. We asked a series of questions pertaining to inappropriate conduct that he may have seen in relation to Officer Devine. We discussed the supply closet that was referenced by [REDACTED] and [REDACTED] knew about the closet and that it was generally an athletic supply storage area. [REDACTED] never saw Officer Devine in that closet alone with a student, hugging a student, having a student sitting on his lap or any conduct of that nature. [REDACTED] did not see Officer Devine using his personal vehicle to transport students at any time. [REDACTED] was unfamiliar with any interaction involving [REDACTED]. [REDACTED] did not remember any exchanging of love notes between [REDACTED] and Devine.

When asked about Sandra Birchmore, [REDACTED] characterized her as [REDACTED]. [REDACTED] was familiar with her as [REDACTED] class as Sandra Birchmore. [REDACTED] was also familiar with her participation in the police explorers program. [REDACTED] never saw Sandra Birchmore with Officer Devine in any capacity.

After the death of Sandra Birchmore, [REDACTED] began to hear rumors of her involvement with Matthew Farwell. Prior to that, [REDACTED] did not have any knowledge of this. [REDACTED] found it to be repulsive that Matthew Farwell had a relationship with a person [REDACTED]. [REDACTED] spoke of a sense of betrayal and losing a close friend in Matthew Farwell.

[See also, Transcription T -10]

[REDACTED]

On August 11, 2022, [REDACTED] was interviewed at the MPTC Headquarters building in Randolph, MA. He appeared [REDACTED]. We discussed [REDACTED] employment history [REDACTED].

[REDACTED] is familiar with the open gym program. We discussed the program and when asked [REDACTED] never saw a student sitting on Robert Devine's lap or see any inappropriate conduct. When asked specifically about the claim that [REDACTED] made about being told to pull her shirt up, [REDACTED] described that if a student were ever inappropriately dressed that [REDACTED] would correct the behavior and send the student to the office. [REDACTED] also recalled a discussion that [REDACTED] had with Devine where [REDACTED] saw a female student that [REDACTED] thought was a police explorer, scantily clad in his Devine's office. [REDACTED] confronted Devine about the optics of the visit by the student and cautioned Devine about being smarter with his actions. [After hearing what [REDACTED] described, the student was likely not [REDACTED] did not recall an incident as described [REDACTED] involving [REDACTED].

We discussed Sandra Birchmore. [REDACTED] characterized [REDACTED] and [REDACTED]. [REDACTED] was familiar with her participation on the police Explorers and that she was a member of the martial arts gym across from the station. [REDACTED] knew that she wanted to intern for the police department and had done so at the court.

When asked about another encounter involving a haunted house that [REDACTED] did at [REDACTED] house, [REDACTED] recalled Robert Devine and his wife attending the event. [REDACTED] would hold the event annually, and he recalled seeing Devine with a woman named [REDACTED]. He thought the encounter to be odd as it appeared that Devine was with her and [REDACTED] arrested her for [REDACTED] when he and Devine were working [REDACTED]. Devine pointed out [REDACTED] had "turned her life around".

I later located in-house records for [REDACTED] that corroborated the previous [REDACTED]
[See also, Transcription T-9]

Credibility assessment

[REDACTED]

I view [REDACTED] as a credible person. The relationship had its inception from a teacher/counselor relationship and evolved into a friendship of sorts when Sandra Birchmore re-connected with [REDACTED] as an adult. [REDACTED] seemed to have a genuine desire to help the victim Sandra Birchmore and had a foundational knowledge of the difficulties that Sandra Birchmore had been struggling with in her early years. [REDACTED] responses were unwavering and consistent. I did not view any indicators of deception or a lack of consistency in her responses. She was interviewed by the Massachusetts State Police [See also MSP report S-1].

[REDACTED]

I view [REDACTED] as a credible person. She is [REDACTED] Sandra Birchmore and provided a considerable amount of second hand knowledge about the events on the life of Sandra Birchmore. She had some contact with the media and friends of Sandra Birchmore and had been interviewed by phone by the Massachusetts State Police [See also, MPS report S-2]. She felt strongly that Mathew Farwell [REDACTED] Sandra Birchmore in the years prior to her death.

[REDACTED] with Sandra Birchmore, had more contact with her and more frequently communicated with her. Her

discussions with Sandra seemed to be of a pragmatic nature in reference to the [REDACTED]

[REDACTED]

I do not view [REDACTED] as a credible person. During his interview, he provided little information, if any. When asked about a confrontational text message that he had had with the victim Sandra Birchmore over owed money to "the girls" he could not recall the conversation or the last names of the girls. Having described that they shared a dorm/suite, I find it implausible that [REDACTED] could not recall this information. He also demonstrated a very high degree of non-verbal guarded behavior, was sweating and appeared to be very nervous throughout my interview.

[REDACTED]

I view [REDACTED] to be a credible person. At no time did I observe him deviate from his baseline poise and I saw no indicators of deception. His answers were direct and showed no hesitation. He appeared comfortable in discussing Sandra Birchmore with PI Fries and I.

Robert Devine

I do not view Robert Devine to be a credible person. He denied having any sort of [REDACTED] or social relationship with the victim Sandra Birchmore.

Subsequent to his first interview, Chief McNamara and I were briefed by PI L'Italien and Fries on his responses to the interview. Hearing the responses, we were both in agreement that Devine had been untruthful about his knowledge of the Farwell brothers having been caught impersonating the police. This fact would have been a part of the background investigation process that Devine, as a member of the hiring panel for Farwell, would have been privy to. In addition, this fact was widely known throughout the department. Devine's response was that

“that must have been before my time” was an implausible response. Devine was in charge of the police Explorers and was familiar with the Farwell brothers. Devine frequently sat on the hiring panel for new employees. As part of that process, Devine would have been briefed on a background investigation by the investigating detective. Exhibit 34 is an excerpt from the background investigation of William Farwell. The excerpt shows that William Farwell spoke to the investigator about being counseled by [Sergeant] Devine and [Lieutenant] Bonney about getting caught in the act of impersonating the police.

In addition, after the completion of the first interview, an abundance of evidence to the contrary of his responses was uncovered. A Facebook alias showed Devine [REDACTED] Sandra Birchmore, as well as her relationship with Mathew Farwell [REDACTED] they also discussed meeting [REDACTED] At the completion of this credibility assessment, a second interview of Devine was pending and would widen in scope to include untruthfulness, in addition to a myriad of other policy violations for the relationship with the [REDACTED]

In a previous investigation that resulted in Devine’s demotion from Deputy Police Chief to Patrolmen [REDACTED] the investigation found that Devine was lacking in candor in some of his responses, but did not make a sustained finding for untruthfulness.

Devine’s history with the investigation conducted by Paul White is an expository example of exploitive, misogynistic and risk seeking behavior that superseded his professional responsibilities in that case as well as this. In both cases, Devine violated his inherent position of the public trust. For the foregoing reasons, I do not view Devine to be a credible person.

Second interview of Robert Devine

A second interview had been scheduled and was to be conducted at the MPTC headquarters in Randolph, MA by PI L’Italien and Fries. This interview was scheduled for Thursday August 18, 202. Robert Devine resigned from his employment prior to that date. From this, I draw a negative inference.

A series of questions that would have been asked of Robert Devine is detailed in Exhibit

13.

[REDACTED]

I do not view [REDACTED] as a credible person. In his first interview he denied having a [REDACTED] with the victim Sandra Birchmore. The interview process was stopped when this line of questioning began, as well as questions pertaining to his knowledge of other members of the Stoughton Police Department that Sandra Birchmore had involvement with. [REDACTED] arranged for further consultation with [REDACTED]. [REDACTED] described his "friendship" with Sandra Birchmore that evolved into him in a quasi big-brother role in which he would give her life advice. Some of this advice included direction on her relationship with Matthew Farwell.

After several attempts to schedule a second interview, [REDACTED] would have to be compelled by the order of [REDACTED] in order to comply with the policy of [REDACTED]. To that extent, I would characterize [REDACTED] as a reluctant witness, albeit a compelled witness. From this evasive effort, I draw a negative inference.

Some discussions recovered from evidence [Exhibit 18] centered on his desire to meet a [REDACTED]

[REDACTED] so admitted to the illicit conversations that he would have with Sandra Birchmore. In my opinion, [REDACTED] is a conflicted and non-credible witness in that he was "friends" with Sandra Birchmore, whom he knew was troubled, yet engaged in suggestive conversations that ultimately led to his admission in his second interview [REDACTED]

[REDACTED] PI L'Italien and I are both left with the impression, based on, but not limited to the above, that [REDACTED] was involved in [REDACTED] Sandra Birchmore but admitted as much as he needed to, to conclude his role as a witness in this case.

[REDACTED]

Credibility assessment completed by PI L'Italien

[REDACTED] was interviewed by myself and my colleague Robert Fries. We interviewed her at [REDACTED] home located [REDACTED] on June 9, 2022 at approximately 5:30 PM.

I view [REDACTED] as a credible person. [REDACTED] was forthcoming retrospectively in what [REDACTED] described as a crush that she had on Robert Devine while [REDACTED] was a middle school student and Devine serving as the Juvenile Officer [writing Devine love notes etc.]. [REDACTED] expressed embarrassment for [REDACTED] behavior during that time. Conversely, [REDACTED] took the risk of explaining questionable and/or inappropriate behavior by Robert Devine in his role as an adult and public official. In reviewing this interview, [REDACTED] comments and answers to my questions were consistent with that of the MSP interview by Trooper Kathleen Prince and Lieutenant John Fanning and I did not note any dramatic deviations from what [REDACTED] was now reporting to us. When challenged, [REDACTED] did not appear nervous and I did not observe any indicators of deception.

It is important to note that [REDACTED] contacted the District Attorney's office after reading a news article in the Boston Globe. She did this on her own and is willing to be named in not only my report but as a witness in this investigation.

[REDACTED]

I view [REDACTED] as a credible witness. He was asked to recall events that exceeded two decades. His demeanor was resolute in responses to questions and he appeared to be upset by some of the content of the questioning. I would characterize emotional responses as normal given the content of the discussion. He made a statement toward the end of his interview that had he observed any inappropriate behavior during any of the time that he worked with

Devine, that he would have begun by saying something to him and would not have allowed any inappropriate behavior on Devine's part to continue.

[REDACTED]

I view [REDACTED] to be a credible witness. His responses were consistent and unwavering. He was asked to recall circumstances that exceeded two decades. Though he could not remember some of the things that happened, [REDACTED] approached me the day after his interview and showed me a picture of [REDACTED] from the OMS yearbook. He told me that he vaguely remembered her but that he remembers a confrontation in the juvenile office between her and Devine. He recalls that there was a circumstance but cannot recall specifically what the circumstance was.

He also asked me if I could pull up a picture of [REDACTED]. As she had not been identified, I requested of [REDACTED] the identity of her mother. [REDACTED] told me when I reached out to her by phone that she wanted to ask her permission first before giving out the name. I did not hear back from [REDACTED]. [REDACTED] seemed genuinely interested in helping resolve this case.

Conclusion

Robert Devine took control of the Stoughton Police Explorer's Class on or about 2002 and changed the program model from that of a police explorer's scouting program to that of a quasi-paramilitary program that centered on teaching aspects of policing to youth participants. It was in this program that Devine met Matthew and William Farwell.

The Farwell brothers were known to have had some difficulties and disciplinary issues while attending school. Both embraced the Explorer's program with vigor and participated in all aspects of the program. Both eventually left alternative education and entered military service.

Matthew Farwell was appointed to the Wellesley Police Department in September 8, 2015. He transferred to the Stoughton Police Department by way of a lateral transfer on February 27, 2012.

William Farwell was bypassed for employment on September 6, 2011. In 2014, he received an offer of employment for the position of patrol officer. He then requested and received a military deferment under the USSERA Act. He had also received an appointment to the Massachusetts State Police and briefly attended the MSP recruit academy. He was eventually appointed to the Stoughton Police Department on March 27, 2017.

The Farwell brothers returned to the Explorer's program as instructors. Matthew Farwell met Sandra Birchmore while she was a participant in this program and was thirteen years of age at the time. Matthew Farwell began [REDACTED] relationship with Sandra Birchmore. Evidence shows that he [REDACTED] while she was fifteen years of age and Farwell was twenty-seven years of age.

Sandra Birchmore was [REDACTED] with Matthew Farwell as a result of his role as an adult instructor in the Explorer's program. This relationship led to Sandra Birchmore [REDACTED] relationship with William Farwell and Robert Devine.

Sandra Birchmore died on February 4, 2021. The Massachusetts Medical Examiner [REDACTED]

Matthew Farwell is [REDACTED]

After a review of the personnel file of Robert Devine, I located two letters. One letter is from the mother of Sandra Birchmore and is dated April 17, 2014 [Exhibit 31]. The letter in essence is extending thanks to the Stoughton Police Department, and in particular, Devine for running the police Explorers program. The second letter is not dated or signed but titled "My Hero Lieutenant Devine" and is a musing to Devine for all that he does for the community [Exhibit 32]. I have entered these as exhibits that exemplify both the public trust that was violated and what the Stoughton Police Explorers Class was supposed to be.

On January 24, 2016, Robert Devine entered into an agreement for discipline between the Town and an employee, following the investigation that was conducted by Paul White. On February 12, 2016, Civil Service form 10 was completed in where Devine was reinstated from the position of non-civil service Deputy Chief, to his former Civil Service position of Police Lieutenant. Civil Service form 11-10 was completed for the issuance of a demotion from Lieutenant to Civil Service Police Officer. Devine completed a sixty (60) day period of suspension on April 12, 2016.

In the internal affairs file for Robert Devine, the agreement for the imposition of discipline is included with the case file. Under the terms of this agreement, section 5 describes *Voluntary Execution: Mr. Devine acknowledges that he has thoroughly read this agreement, that he understands it and is entering into it of his own free will and further that he understands that future instances of him misusing his position or engaging in conduct unbecoming a police officer or other misconduct may result in more serious disciplinary action being taken against him, up to and including termination from his employment.*

The investigation by Paul White contained a finding that Robert Devine was not a credible person. There was a sustained finding of conduct unbecoming in that case.

Recommendation

The three employees who were implicated as the subjects of this investigation resigned from employment. We are now required to make notification to the POST Commission. It is my recommendation that Robert Devine, William Farwell and Matthew Farwell have their certifications REVOKED by POST and that they be entered into the National Decertification Index.

I recommend that we request of the POST Commission, ahead of POST holding a hearing, that POST file a subpoena for Facebook records to authenticate "Marty Riggs" as Robert Devine and take any other action within the scope of POST authority.

I recommend that this entire document be sent to consultants or experts in the field of forensic statement analysis for an analytical assessment of transcripts to gage the truthfulness of the responses of Robert Devine, as well as the statements that were made to the MSP by William and Matthew Farwell, as compared to this document and all of the evidence that has been submitted in this case. The objective in this recommendation is to obtain or ascertain, in a collegial manner, an opinion as to the foregoing.

I recommend that this entire document be sent to consultants or experts in the field of forensic psychology, particularly to an expert with a specific knowledge of child victimology and [REDACTED] behavior. The objective in this recommendation is to obtain or ascertain, in a collegial manner, an opinion as to the foregoing.

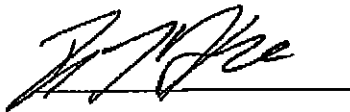
I recommend that this document and all respective communications concerning a relationship between the victim Sandra Birchmore and any military recruitment personnel, be routed through the appropriate military chains of command for further investigation by the appropriate agency within the MA National Guard.

I recommend that this report as well as the transcriptions for [REDACTED] interviews be shared with [REDACTED]

I recommend that the Norfolk County District Attorney receive a copy of this report.

Employees were identified as witnesses in this case. It is my conclusion based upon this investigation and all relevant evidence, that no other current member of the Stoughton Police Department had an inappropriate relationship with the victim Sandra Birchmore. As 21-1-IA is concluded concerning now former employees, I am also recommending that 22-3-IA be assigned as a continuation of this investigation for any other people who may come forward with information, and to allow for follow up with former members of the police Explorers program.

Respectfully,

A handwritten signature in black ink, appearing to read "B. J. Holmes", is written over a horizontal line.

Brian J. Holmes, Deputy Chief