

Entered: 12/21/2023 @ 1046
Modified: 12/26/2023 @ 1531

Entry ID: PES
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On December 8, 2023, a person presented themselves to file a formal complaint involving illustrations they have observed in a teachers classroom within the WEB Dubois Middle School that they felt was inappropriate. The WEB Dubois Middle School serves the fifth, sixth, and Seventh grades at Berkshire Hills Regional School District. The reporting party explained that the teacher who he identified as an 8th grade teacher [REDACTED], along with a few others are meeting with students during school, but outside of classroom time. They observed a book on a table within the teacher's classroom that depicted an illustrations of sexual content. This book with the illustration was observed on a desk within the teacher's classroom. The person also reported to overhearing the same teacher telling students to "not tell their parents" and that they observed a student sitting on the lap of the same teacher. The person requested to remain confidential, as they feared for any retaliation if it was discovered that they provided this information.

2. The individual then presented photographs of a book that was located on a desk in the teacher's classroom in the last two weeks. The photographs provided were two of the book cover titled Gender Queer and then of one interior page of illustrations. The captions with the image discuss a strap on penis adult toy and then shows one individual with their pants undone wearing what appears to be a strap on adult toy and the other individual kneeling down in front and performing oral sex by placing the adult toy into their mouth.
3. On December 8, 2023, Investigator O'Brien who took the complaint informed me and I responded to the station as I was off duty. Once at the station I reviewed the images and information that the individual provided. I immediately notified Superintendent Peter Dillon of the complaint. I spoke with Superintendent Dillon and he advised me that he was not aware or familiar with the book containing these graphic illustrations. Superintendent Dillon stated to me that he would contact Miles Wheat the principal of the middle school and see if he knew anything about this and call me back. He also stated he would put Steve Bannon, Schoolboard Chair, "in the loop."
4. Superintendent Dillon contacted me back approximately 15-20 minutes later. I was told that Principal Wheat did not know anything about the book that contained the illustrations that were reported to us. I advised Superintendent Dillon that because I had a complaint I was obligated to do a follow-up on it. Superintendent Dillon said he did not have an issue with us coming to the school to see if the book was present in the classroom and follow-up on the complaint.
5. Superintendent Dillon and I discussed the sensitivity of the situation and worked out a plan to meet to determine if the complaint was credible as dictated within our policies. He arranged for Principal Wheat to meet with a plain clothed officer at the school after classroom hours. I instructed Investigator O'Brien to follow-up on this complaint and see if he could determine if the complaint was credible. I advised him to change out of his uniform and use an unmarked police vehicle to go to the school.
6. Investigator O'Brien responded to the school to complete a follow-up investigation on the complaint. See Investigator O'Brien's report and body cam.
7. After Investigator O'Brien returned from his follow-up, we contacted the District Attorney's Office to see if they could offer some guidance on this matter. We were advised that we should try to locate the book to evaluate the illustrations to see if any potential criminal violations were warranted. We had already completed our inquiry to the complaint and had left the school, prior to receiving the communication from

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the District Attorney's Office. Superintendent Dillon and I decided to be in contact Monday.

8. On Monday December 11, 2023, I spoke with Superintendent Dillon. He advised me that he does not have the book and the teacher is not in school today. He did some research on the book and illustrations and learned it is a highly controversial book throughout the country. I advised him of the information I was receiving from the District Attorney's Office regarding any documents that would ascertain if any child had ever viewed the material in question. We agreed to be in contact again on Tuesday.
9. Tuesday December 12, 2023 Superintendent Dillon and I spoke. His legal council advised him not to share any information regarding a child without obtaining a search warrant. He stated that he may not be able to locate the book, but would secure any pertinent information in his off campus office. Superintendent Dillon and I discussed the policies and procedures they have to report a situation like this within the school and that the policy didn't cover this situation, when an incident is reported to the police and not the school.
10. Wednesday December 13, 2023. Investigator O'Brien and I spoke with Assistant District Attorney Andrew Giarolo. We advised the District Attorney's Office of the legal advise the school district was given. We were told we might have to plan for having to write a search warrant to obtain any information regarding this matter. Assistant District Attorney Andrew Giarolo was going to confirm this and let us know.
11. Superintendent Dillon and I continued the conversation. He was advised of my conversation with the District Attorney's Office. Superintendent Dillon stated that at this point he didn't think he would be able to locate the book. We discussed what the next steps be if a search warrant was needed in he future. Superintendent Dillon and I both agreed that if it came to this, we should do it at his administrative office in Stockbridge. He stated he would secure any items that the District Attorney may want if an criminal investigation was warranted. I advised him that I have a meeting on another matter (unrelated to this) Thursday morning with the District Attorney and I would share our conversation and information about the school policies with him. We agreed to talk after my meeting on Thursday.
12. December 14, 2023. I discovered my meeting with was not Thursday, it was scheduled for Friday. I immediately contacted Superintendent Dillon to advise him. Superintendent Dillon asked me if he should wait to call District Attorney until after my conversation with the District Attorney on Friday. I encouraged him to call the District Attorney's office immediately and start a conversation to explain the policies and procedures that the school has in place. Superintendent Dillon also discussed that the media may contact us and he asked if I had spoken with anyone about this matter. I advised him that we had not. Within minutes of completing the call, I received a call from a media outlet asking about the matter. I learned from this conversation that the involved teacher had posted something on their Instagram account about this matter. I then contacted Superintendent Dillon and advised him what I had learned. He stated that he too was just given the information.
13. A short time later, Superintendent Dillon called me back, advised that he has reached out to the District Attorney's Office, and has me meeting scheduled with District Attorney Shugrue today. At 11:35 we received information from District Attorney's Office to close the inquiry as they determined that there was not a

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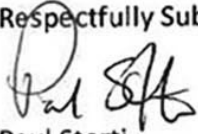
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crime committed and that the school district will manage the situation. I received an email confirmation from the District Attorney Office advising this was a school matter and that they should handle it internally.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Paul Storti", is written over the printed name.

Paul Storti

Chief of Police

Great Barrington Police Department
Image Associated With Case Number 23-300-OF
Image Description: Book

