

North Adams Police Department
Investigative Report

Page: 1
09/05/2023

Case #: 23-1-IV

Date/Time Reported: 08/23/2023 @ 1200
Report Date/Time: 09/01/2023 @ 1125
Occurred Between: 08/22/2023 @ 2300
And: 08/23/2023 @ 1200
Case Status: Closed

Reporting Officer: Chief of Police (Interim) Mark Bailey

Signature: _____

#	OFFENSE(S)	A/C	CHAPTER	SECTION
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LOCATION TYPE: Residence/Home/Apt./Condo Zone: ADAMS
WINTER STREET

ADAMS MA 01220

1	CONDUCT UNBECOMING AN OFFICER			C
	OCCURRED: 08/22/2023 2300			

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] [REDACTED] [REDACTED] DOB: [REDACTED] CONTACT INFORMATION: Home Phone (Primary) [REDACTED]	PARTICIPANT	F	W	[REDACTED]	[REDACTED]	[REDACTED]
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2	MASON, SCOTT [REDACTED] [REDACTED] DOB: [REDACTED] EMPLOYER: MSP CONTACT INFORMATION: Home Phone [REDACTED] Cell Phone (Primary) [REDACTED]	WITNESS	M	W	[REDACTED]	[REDACTED]	[REDACTED]
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3	STANT, KEVIN J [REDACTED] [REDACTED] DOB: [REDACTED] EMPLOYER: NORTH ADAMS POLICE DEPT CONTACT INFORMATION: Home Phone (Primary) [REDACTED]	WITNESS	M	W	[REDACTED]	[REDACTED]	[REDACTED]
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#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
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1	KELLY, PRESTON A [REDACTED] [REDACTED] CONTACT INFORMATION: Home Phone (Primary) [REDACTED] Work Phone (Primary) [REDACTED]	M	B	[REDACTED]	[REDACTED]	[REDACTED]
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HEIGHT: WEIGHT: HAIR: NOT AVAIL. EYES:
BODY: COMPLEXION: NOT AVAIL.
DOB: [REDACTED] PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: [REDACTED] ETHNICITY: NOT HISPANIC

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09/05/2023

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#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
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[APPEARANCE]

HAT:

SHIRT:

SWEATERS/COATS/JACKETS:

PANTS/SKIRT:

SHOE:

MASK:

GLASSES WORN:NO

EMPLOYER/SCHOOL:

NORTH ADAMS POLICE DEPART * 413-664-4944

NORTH ST

WILLIAMSTOWN MA 01267

OCCUPATION:

POLICE OFFICER

2 MARTONE, ANTHONY M

M

W

HEIGHT:

BODY:

DOB:

LICENSE NUMBER: NOT AVAIL.

WEIGHT:

HAIR: NOT AVAIL.

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC

EYES:

Attachments for 23-1-IV

Description	Type
SUSPENSION NARRATIVE	PDF
Attachment#: 722B68FA25B948AA9CCE97C2AE02063C	
BLOTTER NOTE	PDF
Attachment#: 9599D1ED03384FC5BE5E7934A42659EB	
PAID ADMIN LEAVE	DOCX
Attachment#: AA7A2058FC3B4B648733440D54E9601D	

NARRATIVE FOR CHIEF OF POLICE (INTERIM) MARK D BAILEY

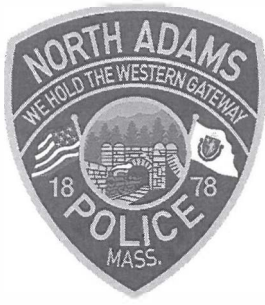
Ref: 23-1-IV

Entered: 09/01/2023 @ 1150 Entry ID: 3844
Modified: 09/01/2023 @ 1150 Modified ID: 3844

See attachment

For Date: 08/22/2023 - Tuesday

Call Number	Time	Call Reason	Action	Priority	Duplicate
23-53212	2255	911 - FIGHT IN PROGRESS	GONE ON ARRIVAL	1	
Call Taker: JWOOD - WOOD, JAMES					
Call Source: 911					
Location/Address: [ADA] 9 HOOSAC ST					
Jurisdiction: ADAMS					
Fire District: ADAMS FIRE DEPT					
EMS Service Area: ADAMS AMB					
Party Entered By: 08/22/2023 2258 JWOOD - WOOD, JAMES					
Modified By: 08/22/2023 2301 JWOOD - WOOD, JAMES					
Calling Party: HARDING, TAYLOR KRISTAN @ 9 HOOSAC ST - ADAMS, MA 01220-1733					
Lon: -000.000000					
Ele: +0000 Con: 90 Unc: 51					
CallBack Number: 413-358-1887					
CallBack Number: 413-358-1887					
Work Phone: 413-458-8371					
SSN: [REDACTED] DOB: [REDACTED] Race: W Sex: F					
Party Entered By: 08/22/2023 2300 CLAWCOC - LAWCOCK, CHRISTINA					
Modified By: 08/22/2023 2302 CLAWCOC - LAWCOCK, CHRISTINA					
Calling Party: Unknown 413-603-0482					
LACOSSE, GLORIANNA JANINE @ 13 WEBER ST Apt. #B - ADAMS, MA 01220-1854					
CallBack Number: 413-281-3816					
Cell Phone: 413-281-0778					
Cell Phone: 413-412-0575					
Cell Phone: 413-466-9414					
Cell Phone: 413-603-0482					
Cell Phone: 413-841-6612					
Home Phone: 413-281-5666					
Home Phone: 413-743-2141					
Home Phone: 413-743-2419					
Home Phone: 413-749-8051					
Home Phone: 413-776-7366					
Work Phone: 413-625-3327					
Work Phone: 413-776-7222					
SSN: [REDACTED] DOB: [REDACTED] Race: W Sex: F					
Unit: A147 STRIZZI, MICHAEL					
Disp-22:59:48 Enrt-23:01:49 Arvd-23:02:12 Clrd-23:02:33					
Unit: A169 STANT, KEVIN					
Disp-22:59:50 Enrt-23:01:50 Arvd-23:02:11 Clrd-23:02:33					
Narrative: 08/22/2023 2258 WOOD, JAMES					
CP REPORTING TWO OR THREE MALE PARTIES ARGUING AND MAKING THREATS TOWARDS EACH OTHER BEHIND THEIR RESIDENCE.					
Narrative: 08/22/2023 2300 LAWCOCK, CHRISTINA					
Modified By: 08/22/2023 2305 LAWCOCK, CHRISTINA					
2nd CP BELIEVES A M AND F PTY ARE FIGHTING AND POSS PHYSICAL. AT HOOSAC/WINTER					
Narrative: 08/22/2023 2309 WOOD, JAMES					
A169 SPOKE WITH RP WHO STATED THAT ONE PARTY LEFT IN A BLACK JEEP AND THE OTHER LEFT IN AN OVERSIZED FORD TRUCK. BOTH UNITS CHECKED THE AREA. NO INJURED PARTIES IN THE AREA. UTL INVOLVED PARTIES.					



Mark D. Bailey
Interim Chief of Police

City of North Adams, Massachusetts Department of Public Safety -Police Division-

21 Summer Street, North Adams, MA 01247 Phone# (413) 664-4944

Fax# (413) 663-3834

chiefbailey@northadams-ma.gov



Memo to: Sergeant Preston Kelly
Memo from: Interim-Chief Mark Bailey
North Adams Police Department
Re: Rule 4.1 – Conduct Unbecoming an Officer
Date: 08/23/2023

This document is designed to provide you with ample notice that you have become the subject of an official department internal investigation. The internal investigation is of the following nature:

- ☐ Administrative and Criminal
☒ Administrative

The nature of the complaint is as follows:

- 1.) Statements have been made by multiple North Adams Police Officers, Adams Police Officers, and Massachusetts State Police Troopers that show that on August 22, 2023, you were involved with a physical altercation with an off-duty Massachusetts State Police Trooper in the town of Adams, MA. The statements indicate that the physical altercation was a direct result of an [REDACTED]
- 2.) On August 23, 2023, you called out sick from work due to the injuries sustained from the physical altercation. This led the department having to find coverage for your shift in your absence.
- 3.) The physical altercation lead to a BOLO broadcasted over the radio with a description of a vehicle that you own and operate.
- 4.) You failed to report this incident to your superior officers, and they had to learn about the incident from other agencies and subordinates.

You are hereby advised to carefully review your rights and responsibilities regarding an administrative investigation contained in the North Adams Police Department Internal Investigations Policy and your Collective Bargaining Agreement.

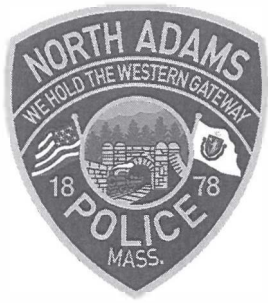
You are also directed not to discuss this matter with any other individual other than your Union Representative (and/or Attorney if applicable).

You are commanded to meet with me on Thursday, August 24, 2023, at 9:00AM in my office. Pursuant to *NLRB v. Weingarten, 420 U.S. 251 (1975)* you will be allowed to have Union Representation, if you so desire, during this meeting and any future meetings for the purpose of what is referred to as "mutual aid or protection." If you wish to have legal representation, then this date may be postponed until city legal representation can be obtained. As of August 24, 2023, you will be placed on Paid Administrative Leave pending the outcome of this investigation.

During the meeting mentioned on the above-mentioned date and time, you are to turn over the following items:

1. Department issued firearm and ammunition
2. Department issued Police Identification
3. Department issued badges
4. Department issued FOB

During the time that you are on paid administration leave you are not authorized to exercise any police powers, nor are you authorized to act in any manner thereof, in the capacity of a police officer. While on paid administrative leave you are not



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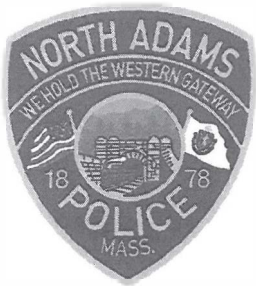
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authorized to enter the confines of the North Adams Police Department unless accompanied by the officer in charge or directed by myself or the Lieutenant. You are restricted from accessing any departmental computer, report, document or file.

So commanded by,

Interim-Chief Mark Bailey



Mark D. Bailey
Interim Chief of Police

City of North Adams, Massachusetts

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Memo to: Sergeant Preston Kelly
Memo from: Interim-Chief Mark Bailey
North Adams Police Department

Re: Notice of Suspense for violation of the following:
Rule 4.1 – Conduct Unbecoming an Officer
Rule 9.1 – Professional Image
Rule 4.01 – Privacy and Off-Duty Conduct
Rule 9.21 – Report Criminal Conduct

Date: 08/31/2023

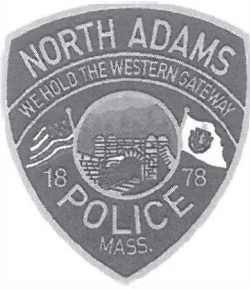
Sergeant Preston Kelly,

You are hereby notified that pursuant to the powers conferred to me by Massachusetts General Law, Chapter 31, Section 41, I am temporarily suspending you from active duty with the North Adams Police Department, with loss of pay, for a period of one (1) working day for violating Department Rule 4.1 – Conduct Unbecoming an Officer; Rule 9.1 – Professional Image; Rule 4.01 – Privacy and Off-Duty Conduct; and Rule 9.21 – Report Criminal Conduct. You will serve the suspension on Friday September 1, 2023. You are ordered to turn in your badge, department ID and weapon for the duration of the suspension. These items will be returned to you upon your return to duty on Saturday September 2, 2023.

The following is a summary of the investigation leading to the decision of suspension,

On Wednesday August 23, 2023, I was approached by Officer Thomas regarding an incident he heard happening the night prior (August 22, 2023). Officer Thomas told me that he heard from Officer Kevin Stant of the Adams Police Department that Preston Kelly got beat up last night and that's why he called in sick.

At approximately 3:15PM, Sergeant Gelinas approached me about an incident that occurred last night. Sergeant Gelinas told me that Sergeant Preston Kelly was caught having sex [REDACTED] last night, and that Trooper Martone beat him up really good. Sergeant Gelinas said that Trooper Martone [REDACTED], and that the Adams Police Department were called to an area for a fight in progress. When officers arrived, a witness



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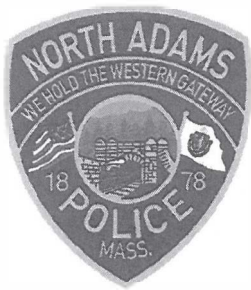


indicated that one of the males involved in the fight left in a black Jeep. Sergeant Gelinas said that Sergeant Kelly called out sick from work today because he has a chipped tooth and possible broken nose. Sergeant Gelinas indicated that most people in the North Adams Police Department know about the incident and are talking about it because they all heard about it from Adams Police Officers.

- *I know that Trooper Martone works for the Massachusetts State Police out of the Cheshire Barracks.*
- *I know that Sergeant Preston Kelly drives a black Jeep.*

I spoke with a reliable source who provided the following information:

- *This reliable source is known to me by name, age, address, and phone number. This reliable source wishes to remain anonymous due to fear of reprisals from members of the North Adams Police Department if their identity is known.*
- Officers of the Adams Police Department were dealing with a car stop involving a large amount of drugs. They received a call around the change of shift for a fight involving two men and a woman in Adams. The officers did not leave the station right away because they could not leave all the drugs out in the open, and they had to put them away in storage.
- Officers were driving to the location and noticed a black Jeep driving away from the area. They spoke to witnesses who saw two men fighting in the road and one man left in a black Jeep. There were no other victims or suspects in the area that were involved in the fight. Adams Police put out a BOLO for the black Jeep.
- Officer Stant received a call from Trooper Mason indicating that he had to calm down Trooper Martone because Trooper Martone [REDACTED] to find Sergeant Preston Kelly having sex [REDACTED] in his black Jeep. Trooper Martone pulled Sergeant Kelly out of the Jeep and beat him up. Trooper Mason claimed that Trooper Martone [REDACTED] [REDACTED] for the night.



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- *I know Trooper Mason is a Massachusetts State Police Trooper working out of the Cheshire Barracks.*

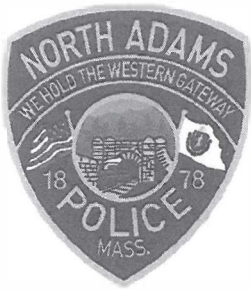
I checked the North Adams Police Department Detail Tracking System (DTS) which is the scheduling system for the officers. I noticed that Sergeant Preston Kelly called out sick at 1:07AM on August 23, 2023, which is around the time that the incident had occurred given the drive from Adams back to Williamstown where Sergeant Kelly [REDACTED]

Based on the information I received, I contacted Lieutenant Gamari who is the Lieutenant in charge of the Cheshire State Police Barracks. I informed Lieutenant Gamari about the incident and my current internal affairs investigation. I indicated my concern about Trooper Martone and Sergeant Kelly possibly working the same evening shifts and possibly interacting with each other on calls in the future. I also indicated my concern for Trooper Martone about [REDACTED] based on the conduct initiated by one of my officers. Lieutenant Gamari had no knowledge of the incident and said he had to call his supervisors to inform them.

I contacted Mayor Macksey to inform her of the incident. I spoke with her and the City Lawyer (Attorney Adam Dupree) over the phone to see what the best course of action is. Based on the statements made by multiple North Adams Police Officers, Adams Police Officers, and Massachusetts State Police Troopers, there appears to have been a physical fight between Sergeant Preston Kelly and Trooper Anthony Martone on August 22, 2023. Sergeant Preston Kelly called out sick for his August 23, 2023 shift around 1:00AM which was shortly after the incident occurred. Sergeant Kelly failed to report the incident to his superior officers and caused his shift to have to be filled due to his absence.

Sergeant Kelly was issued a letter placing him on Paid Administrative Leave starting August 24, 2023. This was in regards to the on-going investigation of the allegations of conduct unbecoming a police officer. The facts within the letter revealed statements made to me about the aforementioned incident. I contacted Sergeant Kelly at 8:54PM and submitted the letter through email to him. Sergeant Kelly was requested to report to the Headquarters and speak with me on August 24, 2023 and that he could have Union Representation with him.

On August 24, 2023, at approximately 09:15AM, Sergeant Kelly accompanied by Officer Dave Sherman (President of the Local Union), Detective Josh Zustra (Vice-President of the



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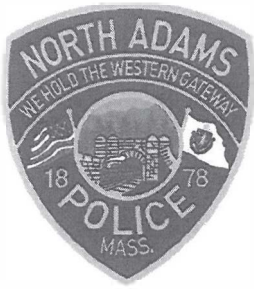
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Local Union), Lieutenant Anthony Beverly and Cara Farrell (City Human Resource Division) were present during the meeting. Sergeant Kelly informed me that he had not received the letter in his email. I provided him with a copy of the letter and let him go into the other room to speak with his Union Representation.

Sergeant Kelly came back in with questions about the allegations. I informed Sergeant Kelly that all of the allegations within the letter were based on statements made from other officers. I informed Sergeant Kelly that the reason for the interview with him was to get his side of the story and to rule out any untruthfulness of the statements I had heard from other officers. Officer Sherman intervened and said that Sergeant Kelly did not want to provide any kind of information that could get the other person involved in trouble. I informed them again about the internal investigation and that the Massachusetts State Police may also be investigating, which was not my responsibility. I was looking to either prove or disprove the allegations I had received. Sergeant Kelly understood and began to provide me with his side of the story. The following is a summary of the story:

- On August 22, 2023, Sergeant Kelly was in Pittsfield, MA for a firearms training with the DA's office. Sergeant Kelly left the training when finished and went to Patrick's pub in Pittsfield. While in Patrick's pub he noticed two people he knew named [REDACTED] and Brianna Lord.
- After talking to [REDACTED] and Brianna, they all decided to go back to Brianna's apartment on Winter Street in Adams, MA. Brianna usually splits her time between her apartment and her father's house so she left to go to her father's house.
- Sergeant Kelly said that he and [REDACTED] went inside Brianna's apartment for approximately 15 minutes. Sergeant Kelly was going to give [REDACTED] a ride to pick up [REDACTED] car so they both walked outside together. As they approached Sergeant Kelly's Jeep, he could hear someone screaming. The person began approaching Sergeant Kelly and he did not know who it was until he was very close to him. Sergeant Kelly then saw that it was Anthony Martone [REDACTED].
- Sergeant Kelly said that Anthony confronted him and he doesn't remember what had happened. Sergeant Kelly fell to the ground and got back up trying to get Anthony to talk



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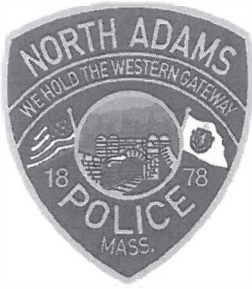


to him. Anthony kept walking away and would not speak to Sergeant Kelly. Anthony and [REDACTED] left in Anthony's truck while Sergeant Kelly left in his Jeep. There were no police that came and Sergeant Kelly did not see any police as he was leaving.

- Sergeant Kelly got home and [REDACTED] all day. [REDACTED]
[REDACTED]
[REDACTED] and not because of the incident with Anthony.
- I noticed that Sergeant Kelly had a bruise on his right upper eyelid and asked if he got that injury from being assaulted by Anthony and he shook his head yes. I also noticed that there was blood on Sergeant Kelly's upper middle teeth.

Sergeant Kelly was informed that he was going to remain on paid administrative leave until I concluded the investigation. Sergeant Kelly was asked to provide me with his badge, ID, and key FOB. His department issued firearm was already turned over to Officer Sherman who is the department's armorer and placed into the secured armory.

At approximately 1500hrs on August 24, 2023, I spoke with Chief Chris Kelly of the Adams Police Department. I provided him with information about my current internal investigation and my intentions of speaking with Officer Kevin Stant. I expressed my concern that Officer Stant was working the shift and responded to the scene, and that he had received information about it involving Sergeant Kelly and Trooper Anthony Martone. Chief Kelly told me that he had heard that Trooper Martone caught Sergeant Kelly having sex [REDACTED] in Sergeant Kelly's Jeep as indicated originally by Officer Stant. Chief Kelly said that Officer Stant was getting married this weekend and asked to wait until Monday to talk which I agreed. Chief Kelly provided me with a blotter note of the call for service for that incident. The blotter note showed several calls to the Berkshire County Dispatch requesting officers to respond for a fight in progress. The blotter note shows that this incident caused multiple known reporting parties to call for police due to people fighting. The blotter note also shows that officers were looking for a black Jeep and an oversized Ford truck that were involved. This in my opinion is equivalent to a Be On the Look Out (BOLO) call.



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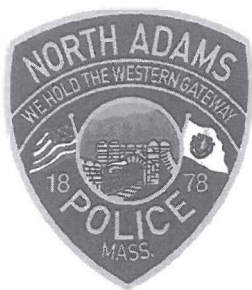
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I contacted Chief Kelly on Monday August 28, 2023, and he informed me that Officer Stant was not back to work until Tuesday August 29, 2023. I contacted Officer Stant on Tuesday and the following is a summary of our conversation:

- A. On Tuesday August 22, 2023, Officer Stant and other Adams Police Department officers stopped a vehicle in the town where they located a large amount of narcotics. While booking the prisoner, and inventorying the narcotics, a call came in for a fight in progress on Winter Street in their town. It took the officers a little bit to leave the station because they had to put the prisoner in a cell and pick up the narcotics.
- B. While traveling to Winter Street, Officer Stant observed a black Jeep traveling at a high rate of speed away from the call location. This time of night in Adams is not busy, and Officer Stant thought it to be suspicious, so he radioed to other units to make a note of the black Jeep. Officer Stant witnessed the black Jeep travel through a stop sign and he tried to illuminate the license plate but he was unable to see it as he continued onto the call.
- C. Once on scene Officer Stant spoke with Mary Malloy who was a witness and the reporting party. (Malloy is employed by the City of North Adams to clean the North Adams Police station at 11 Summer Street) Malloy said that she saw two men beating each other up in the road. One left in a truck and the other in a black Jeep. Officer Stant radioed to other officers about the black Jeep being involved and they searched the area for it.
- D. A short time later, Trooper Scott Mason called Officer Stant and asked if he had a fight call tonight and if he went to it. Officer Stant said yes and Trooper Mason said he would call Officer Stant back. A short time later Trooper Mason called Officer Stant back and filled him in on what had happened.
- E. According to Trooper Mason, Trooper Anthony Martone has suspected Sergeant Preston Kelly [REDACTED]. Trooper Martone caught Sergeant Kelly in the middle of having sex [REDACTED] inside an apartment on Winter Street. Trooper Martone saw [REDACTED] sex through an open window. Trooper Martone waited for Sergeant Kelly [REDACTED] to exit the apartment and he assaulted Sergeant Kelly.



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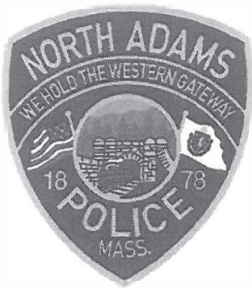


Trooper Martone left [REDACTED] and [REDACTED] [REDACTED] arguing. Trooper Martone called his friend Trooper Mason for help. Trooper Mason took [REDACTED] to his house to spend the night, while Trooper Mason went back to Trooper Martone's house to comfort him and spend the night.

- F. Officer Stant gave this information to his shift supervisor Officer Josh Baker, and also filled in Detective Josh Zustra of the North Adams Police Department who was helping the Adams Police Department with their narcotics arrest.

On Tuesday August 29, 2023, I spoke with Lieutenant Gamri of the Massachusetts State Police to fill him in on my investigation. Trooper Gamari also provided me with a synopsis of what he had found out about what occurred on August 22, 2023. The following is a summary of what Lieutenant Gamari told me:

- A. Sergeant Kelly, [REDACTED] and another person (Brianna Lord) went out to eat together. They knew of someone living on Winter Street in Adams and had their own apartment.
- B. Sergeant Kelly and [REDACTED] went to the apartment on Winter Street and the other girl (Brianna) left. Martone [REDACTED] [REDACTED]. Martone was watching [REDACTED] and called a neighbor to come over and watch [REDACTED] while he went out to [REDACTED]
- C. Martone found [REDACTED] on Winter Street by looing through an open window and seeing [REDACTED] Sergeant Kelly having sex. When Sergeant Kelly and [REDACTED] left the apartment, Martone hit Sergeant Kelly and [REDACTED]
- D. [REDACTED] [REDACTED] and they are all friends. Martone called Mason for help. Mason took [REDACTED] to his house while Mason went back to stay with Martone at his house. Martone has not been back to work since the incident and is [REDACTED] figure things out.



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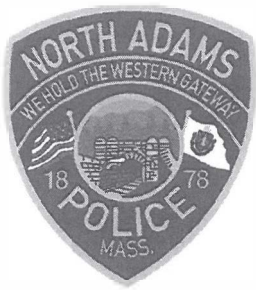
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Findings:

Based on the foregoing, I believe that Sergeant Preston Kelly is in violation of the North Adams Police Department Rule 4.1 – Conduct Unbecoming an Officer; Rule 9.1 – Professional Image; Rule 4.01 – Privacy and Off-Duty Conduct; and Rule 9.21 – Report Criminal Conduct for the following salient reasons:

1. Omission of facts is deception: When Sergeant Kelly was presented with the Administrative Leave document. He indicated that there were some things that he wanted to rebut in the document that were not facts. Sergeant Kelly was told that the information within the document were based on statements from other officers, and that I was requesting him to provide me with what had actually transpired. Sergeant Kelly painted the picture that he met a friend at a restaurant in Pittsfield, and then went back to a mutual friend's house in Adams where they went inside for 15 minutes. Sergeant Kelly indicated that when they left the apartment in Adams he was confronted by Trooper Martone in the parking lot. The omission of facts is that Sergeant Kelly never indicated he was having [REDACTED] [REDACTED] or that he was assaulted. Sergeant Kelly called being assaulted "confronted". The omission of these facts would lead a person to believe that Sergeant Kelly was confronted by a Trooper for merely walking through a parking lot. This is not what had actually happened, and is Sergeant Kelly's method of self-preservation through deliberate deception to lessen the perception of guilt. The omission of these facts was for the sole purpose of lessening Sergeant Kelly's culpability in this incident. When an officer is ordered to provide details of the event by a superior officer, they should provide the facts truthfully and not withhold information that is either culpable or exculpable. The lack of courtesy to Trooper Martone [REDACTED] [REDACTED] is a direct violation of Rule 9.1 (Professional Image) where Sergeant Kelly acted in a manner which is not consistent with the image of a professional police officer.
2. This incident involved agencies from the Adams Police Department, North Adams Police Department, and Massachusetts State Police. Officers from all of these departments had to be questioned about the incident, as well as supervisors to include Lieutenants and Chiefs had to conduct internal investigations. This incident has spread through rumors and gossip to all levels of these agencies and has spanned into the general public to include a witness to the incident (Mary) who cleans the North Adams Police Department.



Mark D. Bailey
Interim Chief of Police

City of North Adams, Massachusetts

Department of Public Safety

-Police Division-

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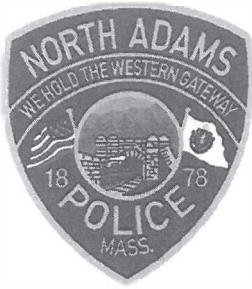
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The actions of Sergeant Kelly had an adverse effect on the morale, integrity, reputation and effectiveness of the North Adams Police Department. This is in direct violation of Rule 4.1 (Conduct Unbecoming an Officer).

3. Sergeant Kelly was having a relationship with [REDACTED]. A [REDACTED]. Sergeant Kelly was also associating himself with Brianna Lord and using her apartment as a location to have a relationship [REDACTED]. The Police Department has been conducting investigations into Brianna Lord's Father's (John Lord) taxi business. These investigations have become public, resulting in various penalties against the business on behalf of the Police Department for violations. As a supervisor we obtain our authority through the governing body. Real authority is earned through the respect and acceptance of those who we supervise. Front line supervisors are responsible for translating the department's vision, values, policies, and rules and regulations into operational practice. The actions of Sergeant Kelly caused a disconnect between himself and those he supervises. As a supervisor, and senior Sergeant, Sergeant Kelly is held to a higher standard and expected to conduct himself as a professional. His actions have caused strain within the department and within the ranks where he has lost the respect and trust of his subordinates. Sergeant Kelly's actions were in direct violation of Rule 4.01 (Privacy and Off-Duty Conduct) where an officer's off-duty personal relationships should not be allowed to bring discredit to the officer or Department, affect the officer's ability to perform his job, or result in poor job performance.
4. Sergeant Kelly did not report the incident to a superior officer. He only discussed the incident after being demanded to do so by a superior. Sergeant Kelly had the opportunity to report the incident when calling out sick for his next shift which occurred approximately 2 hours after the incident was reported to police. I learned about the incident from subordinates within the North Adams Police Department the following day. The actions of Sergeant Kelly were in direct violation of Rule 9.21 (Report Criminal Conduct) where officers shall, upon observing or otherwise becoming aware of a violation of the General Laws of the Commonwealth of Massachusetts, by another officer of the force or by any employee of the Public Safety Department, report said violations to their superior officer.



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5. An ancillary result of Sergeant Kelly's actions has led to multiple shifts having to be filled with officers (including the Interim-Chief) while this investigation was being conducted. It also led to his shift having to be filled with officers due to him calling out sick. Extra investigations were added to the Adams Police Department, Massachusetts State Police, and the North Adams Police Department based on the actions of Sergeant Kelly.

For the reasons cited above, I am instituting this one (1) day unpaid suspension to be served on Friday September 1, 2023.

Respectfully,

Interim-Chief Mark Bailey