



JAMES W. McMAHON
SUPERINTENDENT

NEW YORK STATE POLICE
STATE CAMPUS
ALBANY, NY 12226-0001

August 30, 1999

Trooper Christian McCarthy
New York State Police
Troop "K"
Poughkeepsie, New York

LETTER OF CENSURE

NOTICE OF SUSPENSION

Dear Trooper McCarthy:

On July 26, 1999, while assigned to the Woodstock Music Festival Detail in Rome, New York, you engaged in misconduct when you posed for photographs with a semi-nude female concert attendee while on-duty and in uniform. To further exacerbate matters, you apparently instructed your Field Training Officer trainee, Trooper Edward Kosilla, to take a photograph of you with the semi-nude woman.

Accordingly, you are hereby formally censured. You are also suspended without pay for twelve (12) days, September 8, 1999 through September 19, 1999.

Very truly yours,

Wayne E. Bennett
First Deputy Superintendent

cc: Disc file
PERS
Capt Fuls



FIRST ENDORSEMENT

TO: Major James Schepperly, Troop Commander, Troop "K"
New York State Police, Poughkeepsie, New York

FROM: Trooper Christian McCarthy, Troop "K" *CM*
New York State Police, Poughkeepsie, New York

DATE: August 17, 1999

SUBJECT: PERSONNEL INVESTIGATION

Pursuant to Rule 3.4 of the New York State Police, member:

- Accepts the penalty imposed by the First Deputy Superintendent.

- I decline to accept the penalty imposed by First Deputy Superintendent. I request, pursuant to Rule 3.4(b), that formal charges be prepared and served upon me, that a hearing board be appointed and a hearing conducted. I understand that the penalty imposed by the First Deputy Superintendent will be withdrawn and will not be binding on the hearing board, nor the Superintendent, once charges are executed.

SECOND ENDORSEMENT

TO: First Deputy Superintendent Wayne E. Bennett

FROM: Major James Schepperly, *JJS* Troop Commander, Troop "K"
New York State Police, Poughkeepsie, New York

DATE: 8/23/99

SUBJECT: PERSONNEL INVESTIGATION

Forwarded for appropriate action.

NEW YORK STATE POLICE

MEMORANDUM

Troop H Station Division Headquarters

Date August 12, 1999

To: Trooper Christian McCarthy, Troop "K"
New York State Police, Poughkeepsie, New York

From: First Deputy Superintendent Wayne E. Bennett 

Subject: **PERSONNEL INVESTIGATION**

Pursuant to Rule 3 of the New York State Police, I have reviewed the reports of an investigation into your activities on July 26, 1999.

It appears that on July 26, 1999, while assigned to the Woodstock Music Festival Detail in Rome, New York, you engaged in misconduct when you posed for photographs with a semi-nude female concert attendee while on-duty and in uniform. To further exacerbate matters, you apparently instructed your Field Training Officer trainee, Trooper Edward Kosilla, to take a photograph of you with the semi-nude woman.

I find reasonable cause to believe that your conduct violated Regulations of the State Police, including Regulation 8.41.

It is my judgment that you be suspended without pay for twelve (12) days, and formally censured.

Rule 3.4 of the New York State Police Administrative Manual sets forth the procedures you are to follow.

REPORT OF PERSONNEL INVESTIGATION

FILE NUMBER: 990467 CASE TYPE: PERSONNEL
MODE RECEIVED: IN PERSON CTV: C/ROME
INCIDENT DATE: JULY 26, 1999 TIME: 03:30AM
TROOP DESIGNATION: DIVISION HEADQUARTERS INCLUDING AVIATION
INVESTIGATED BY: D
INVESTIGATIVE REPORT DUE DATE: AUGUST 27, 1999

COMPLAINANTS

NAME: PAT LOUISE
ADDRESS: [REDACTED]
HOME PHONE: [REDACTED] WORK PHONE: - -

SUBJECTS

NAME: RUSS S CAPRIA
RANK: TROOPER DOE: OCTOBER 23, 1997
SEX: MALE TZS: K - BREWSTER
MILITARY SERVICE:

NAME: EDWARD KOSILLA
RANK: TROOPER DOE: NOVEMBER 2, 1998
SEX: MALE TZS: K - LAGRANGEVIL-SAT
MILITARY SERVICE: VETERAN OF MULTIPLE PERIODS OF CONFLICT

NAME: CHRISTIAN MCCARTHY
RANK: TROOPER DOE: APRIL 11, 1994
SEX: MALE TZS: K - LAGRANGEVIL-SAT
MILITARY SERVICE:

NAME: ERIC D REED
RANK: TROOPER DOE: APRIL 11, 1994
SEX: MALE TZS: K - POUGHKEEPSIE
MILITARY SERVICE:

NAME: JAMES A WHITTEL
RANK: TROOPER DOE: SEPTEMBER 27, 1993
SEX: MALE TZS: F - MIDDLETOWN
MILITARY SERVICE:

NAME: TERRY R MALER
RANK: TROOPER DOE: MAY 4, 1998
SEX: MALE TZS: F - WURTSBORO -SAT
MILITARY SERVICE: VETERAN OF MULTIPLE PERIODS OF CONFLICT

NAME: CHRISTOPHER P HANLON
RANK: SERGEANT S/C DOE: FEBRUARY 16, 1981
SEX: MALE TZS: D - REMSEN
MILITARY SERVICE:

ADMINISTRATIVE PERSONNEL

RECEIVED BY:

NAME: ARTHUR J HAWKER RANK: STAFF INSPECTOR
DATE: JULY 26, 1999 TIME: 11:45AM

MEMBER AT DIVISION NOTIFIED:

NAME: JOSEPH F LOSZYNSKI RANK: ASST DEPUTY SUPT
DATE: JULY 26, 1999 TIME: 12:00PM

MEMBER AT TROOP NOTIFIED

NAME: RANK:
DATE: TIME: :

CASE SYNOPSIS

Complainant, Reporter for the Syracuse Newspaper, and another Reporter, allege several Troopers at Woodstock '99 asked two female attendees to disrobe and then had their picture taken with the women.

IAB West to investigate - level 4
..... END REPORT

NEW YORK STATE POLICE
COVER PAGE

TITLE OF CASE Complainant: PAT LOUISE [REDACTED] Title: Sergeant S/C CHRISTOPHER P. HANLON SP Remsen, EOD: 02/16/81	REPORTING TROOP	MANAGING TROOP	DATE OF REPORT
	H	H - IAB	08/04/99
	DATE OCCURRED	TZS	CTV CODE
	07/26/99	D111	D3301
	INVESTIGATIVE PERIOD	TYPED BY	
	07/26/99 -07/30/99	fsc	
	REPORT OF	SHIELD	
	<i>[Signature]</i> Lieutenant Francis S. Coots	1820	
CHARACTER OF CASE - (CC CODE) COMPLAINT AGAINST PERSONNEL (PCT0100)	STATION	CASE#	
	Internal Affairs Bureau - West	DCN-990467	
	STATUS OF CASE		
	<input type="checkbox"/> CA <input type="checkbox"/> C/EC <input type="checkbox"/> C/INV <input type="checkbox"/> C/UNF <input type="checkbox"/> OPEN <input checked="" type="checkbox"/> C/FND		

REFERENCE: Report of Personnel Investigation #990467, dated July 26, 1999

- ENCLOSURES:** To Division Headquarters and Troop D:
1. Memorandum of Trooper Glenn R. Miner, dated July 29, 1999.
 2. Memorandum of Staff Inspector ARTHUR J. HAWKER, dated July 26, 1999.
 3. Memorandum of Sergeant ERIC C. MEYBAUM, dated July 28, 1999.
 4. Statement of [REDACTED] dated July 27, 1999.
 5. Statement of [REDACTED] dated July 27, 1999.
 6. Statement of TIMOTHY FINNEGAN, dated July 27, 1999.
 7. Statement of RICHARD T. BROPHY, dated July 27, 1999.
 8. Statement of Tpr. GEORGE D. MACLARTY, dated July 27, 1999.
 9. Statement of Tpr. TIMOTHY K. JACKSON, dated July 27, 1999.
 10. Statement of Sergeant S/C CHRISTOPHER P. HANLON, dated July 28, 1999.
 11. Statement of Tpr. ERIC D. REED, dated July 28, 1999.
 12. Statement of Tpr. CHRISTIAN MCCARTHY, dated July 28, 1999.
 13. Statement of Tpr. EDWARD KOSCILLA, dated July 28, 1999.
 14. Statement of Tpr. JOHN K. SUNDSTROM, dated July 28, 1999.
 15. Statement of Tpr. JOHN E. HALLENBECK, dated July 28, 1999.

DISTRIBUTION: <input type="checkbox"/> DHQ <input type="checkbox"/> TROOP <input checked="" type="checkbox"/> OTHER:	FOR TROOP/DIVISION HEADQUARTERS USE ONLY
APPROVED: <i>[Signature]</i> STATION: _____ TROOP: _____ DHQ: _____	DESTROY IN 19 _____ INITIALS _____ PERMANENT RETENTION _____ INITIALS _____

TITLE (Con't.)

TROOPER RUSS S. CAPRIA, EOD 10/23/97, TROOP "K"
TROOPER EDWARD KOSCILLA, EOD 11/02/98, TROOP "K"
TROOPER TERRY R. MALER, EOD 05/04/98, TROOP "F"
TROOPER CHRISTIAN MCCARTHY, EOD 04/11/94, TROOP "K"
TROOPER ERIC D. REED, EOD 04/11/94, TROOP "K"
TROOPER JAMES A. WHITTEL, EOD 09/27/93, TROOP "F"

ENCLOSURES (Con't)

- 16. Statement of Tpr. CLIFFORD A. BEAUMONT, JR, dated July 29, 1999.**
- 17. Statement of Tpr. RUSS S. CAPRIA, dated July 29, 1999.**
- 18. Statement of Tpr. WILLIAM R. NEMETH, dated July 29, 1999.**
- 19. Statement of Tpr. JAMES A. WHITTEL, dated July 30, 1999.**
- 20. Statement of Tpr. TERRY R. MALER, dated July 30, 1999.**

SYNOPSIS:

On July 26, 1999 Syracuse Newspaper employees reported that at approximately 3:30 AM that date, they had witnessed several Troopers at one of the Woodstock '99 exits soliciting two females to remove their clothing, and when the females did so, the Troopers posed with and photographed them. Investigation has determined that Sergeant S/C CHRISTOPHER P. HANLON, Troopers RUSS S. CAPRIA, EDWARD KOSILLA, TERRY R. MALER CHRISTIAN MCCARTHY, ERIC D. REED, and JAMES A. WHITTEL participated in this behavior while on duty and in uniform. Their conduct was initially reported in the Syracuse Post Standard and has since been the subject of national media attention. This matter is Founded and disciplinary action is recommended.

AT WOODSTOCK '99, ROME, NEW YORK

1. On July 26, 1999 Trooper GLENN MINER, SP North Syracuse, advised Staff Inspector ARTHUR J. HAWKER, Internal Affairs Bureau - Western Region, two employees of the Syracuse Newspapers wished for an official statement from the New York State Police concerning their position on uniformed members requesting two women to disrobe at the Woodstock 99 music festival and then obtaining photographs of the nude women posing with the uniformed members. Staff Inspector HAWKER advised Colonel KENNETH T. COOK of the allegation and assigned Lieutenant FRANCIS S. COOTS to conduct an investigation.
Reference Enclosure #1 Memorandum of Trooper Glenn R. Miner, dated July 29, 1999.
2. On July 26, 1999 at 12:00 PM Staff Inspector HAWKER interviewed PAT LOUISE, Madison County Bureau Chief for the Syracuse Newspapers. Ms. LOUISE stated on July 26, 1999 at about 3:30 AM she and MICHELLE L. BREIDENBACH observed a group of uniformed Troopers near either the North or South Gate of Woodstock '99 pose with two females who were either partially or completely unclothed. Ms. LOUISE added she had the names of the two women, the name of one of the Troopers and several license plate numbers of the Division vehicles parked at this location. Ms. LOUISE would not divulge the information at this time as she wished to consult with her editor and the newspaper's attorneys. Ms. LOUISE declined to provide any further information and a written statement at this time, indicating that she would recontact Inspector HAWKER with a decision from her supervisor.
3. On July 26, 1999 at 12:30 PM Staff Inspector HAWKER interviewed MICHELLE L. BREIDENBACH, DOB: [REDACTED] reporter for the Syracuse Newspapers. Ms. BREIDENBACH stated she was present at the time the photographs were taken and the location was somewhere near the bus loop either at the north or south gate. Ms. BREIDENBACH declined to provide any further information and would not provide a written statement.
Reference Enclosure #2 Memorandum of Staff Inspector ARTHUR J. HAWKER, dated July 26, 1999.

AT FLOYD VOLUNTEER FIRE HALL, FLOYD, NY

4. On July 26, 1999 at 4:30 PM interviewed Lieutenant GREGORY E. WALSH, SP Oneida, the command post officer for Woodstock '99 detail. Lieutenant WALSH provided writer with a list of supervisors who had venues on the perimeter near the north and south gates in an effort to determine who was assigned to these posts.

AT SUNY MARCY, ROME, NY

5. On July 26, 1999 at 7:15 PM interviewed Zone Sergeant RICHARD R. D'AGOSTINO, EOD: 02/21/77, SP Islip Terrace who stated that on July 26, 1999 at approximately 1:00 AM he assumed a venue at the south gate near the bus loop. Zone Sergeant D'AGOSTINO assumed his duties and was supervising approximately ten Troopers at the south gate. When his detail arrived at the south gate, six or seven Troopers were present and the supervisor of these six or seven Troopers was at the north gate. The other supervisor was identified as Sergeant ERIC MEYBAUM. Zone Sergeant D'AGOSTINO added at no time did any of the Troopers under his command take or pose for photographs with either partially nude or completely nude women. Zone Sergeant D'AGOSTINO was the only member of his group, as far as he was aware, who was in possession of a camera.

6. On July 26, 1999 at 7:45 PM interviewed Sergeant ERIC C. MEYBAUM, EOD: 09/22/86, Troop "G" EMNCO, who was assigned to Woodstock '99 as a venue supervisor. He stated that on July 26, 1999 at about 7:00 PM he and ten Troopers assumed their position to patrol the north and south gates. Sergeant MEYBAUM positioned four Troopers at the south gate, two Troopers to patrol between the south and north gate, with himself and the four remaining Troopers assuming a position at the north gate. Sergeant MEYBAUM identified the four Troopers who were at the north gate as RICHARD T. BROPHY, TIMOTHY K. JACKSON, TIMOTHY H. FINNEGAN and GEORGE D. MACLARTY, all from Troop "K", SP Rhinebeck. At approximately 12:00 AM an additional ten Troopers and one supervisor arrived at the north gate to assist in the egress of the vehicular and pedestrian traffic. Sergeant MEYBAUM identified the supervisor as Sergeant CHRIS HANLON but could not identify any of the ten Troopers who had arrived. Sergeant MEYBAUM and Sergeant HANLON remained in contact with each other as the morning progressed but Sergeant MEYBAUM's four Troopers remained close to the north gate and provided security to the MRT van. Sergeant MEYBAUM stated at no time did his four Troopers leave his location to interact with the ten Troopers under Sergeant HANLON's command. At an unknown hour, but sometime after midnight on July 26, 1999, Sergeant MEYBAUM witnessed two women near Sergeant HANLON and his ten Troopers. One was completely unclothed and the other was replacing her top when Sergeant MEYBAUM directed his attention towards this incident. Sergeant MEYBAUM was able to observe only the posterior of the women and Troopers but did observe several photographs being taken by the Troopers with other Troopers posing with these women. Sergeant MEYBAUM was unable to identify the Troopers who were either posing or taking the photographs. He believed a distance of approximately one hundred feet separated his detail from Sergeant HANLON's, and the lighting conditions were poor, which further limited his sight capabilities. Sergeant MEYBAUM stated that neither he nor any of his assigned Troopers took any photographs.

Reference Enclosure #3, Memorandum of Sergeant ERIC C. MEYBAUM, dated July 28, 1999.

AT INTERNAL AFFAIRS BUREAU, ALBANY, NY

7. On 7/27/99, Lieutenant MATTHEW RENNEMAN, IAB North, interviewed [REDACTED] dob [REDACTED] who stated that at about 3 AM on 7/26/99, she approached a group of 6-8 Troopers accompanied by her friends [REDACTED] and [REDACTED] to inquire about the status of the rioting. While there, she observed [REDACTED] posing topless with some of these Troopers. [REDACTED] began to walk away when members of this group asked her if she'd like to be photographed too. She obliged and posed topless for a brief time singularly, with [REDACTED] and with two uniformed members. She then disrobed completely for "two seconds", but couldn't remember "how it was encouraged for me to take my bottoms down, but you know, it was..." [REDACTED] wasn't able to identify any of the Troopers, but advised six or seven of them were taking pictures. She also didn't know what prompted [REDACTED] to undress initially. [REDACTED] advised nothing physical/sexual was requested or occurred and that no Trooper physically touched her or [REDACTED] nor did she touch any of the Troopers.
Reference Enclosure #4, statement of [REDACTED] dated July 27, 1999.

8. On 7/27/99, Lieutenant RENNEMAN interviewed [REDACTED] dob [REDACTED], who corroborated [REDACTED] story, adding that the Troopers' request for a picture, "how about showing a little for the camera", prompted her to take her top off: [REDACTED] was not completely sure if a Trooper asked her to remove her top or if it was an uninvolved citizen. However, she was fairly confident the request came from a Trooper. She never removed her shorts during the time nor was she requested to do so. [REDACTED] advised nothing physical/sexual was requested or occurred. [REDACTED] added she provided her name and address to an unidentified Trooper but was not requested by any Division member to provide this information. [REDACTED] and [REDACTED] as well as [REDACTED] then departed after the photographic encounter.
Reference Enclosure #5, statement of [REDACTED] dated July 27, 1999.

AT TROOP K HEADQUARTERS, POUGHKEEPSIE, NY

9. On 7/27/99, Lieutenant PATRICK REGAN, IAB South interviewed Tpr. TIMOTHY FINNEGAN, EOD: 11/02/98, Troop K, SP Rhinebeck, who stated that he was assigned to secure the MRT van at a post adjacent to the one in question (Venue 2, Post 6). He was assigned there with Sgt MEYBAUM, as well as Tprs BROPHY, JACKSON, and MACLARTY. The only members he recognized at the other post were Tprs JOHN HALLENBECK, EDWARD KOSILLA, and an "F" Trooper. Tpr FINNEGAN stated he had no knowledge of females being photographed and took no part in any such activity.
Reference Enclosure #6, statement of Tpr. TIMOTHY FINNEGAN, dated July 27, 1999.

10. On 7/27/99 Lieutenant REGAN interviewed Tpr RICHARD T. BROPHY, EOD: 03/20/89 Troop K, SP Rhinebeck, who was assigned to secure the MRT van. He claimed to have no pertinent information regarding the photographing of topless or nude females by members.
Reference Enclosure #7, statement of Tpr. RICHARD T. BROPHY, dated July 27, 1999.

11. On 7/27/99 Lieutenant REGAN interviewed Tpr GEORGE D. MACLARTY, EOD: 10/28/96, SP Rhinebeck Troop K, who was also assigned to the MRT van and claimed to have no knowledge or information concerning unclothed females being photographed by members.
Reference Enclosure #8, statement of Tpr. GEORGE D. MACLARTY, dated July 27, 1999.

12. On 7/27/98 Lieutenant REGAN interviewed Tpr TIMOTHY K. JACKSON, EOD: 11/02/98, SP Rhinebeck Troop K, who was also assigned to the MRT van. No pertinent information was gleaned as a result of this interview.

Reference Enclosure #9, statement of Tpr. TIMOTHY K. JACKSON, dated July 27, 1999.

AT IAB WEST, LIVERPOOL, NEW YORK

13. On 7/28/99, Lieutenants FRANCIS S. COOTS and JEFFREY D. RAUB, IAB West, interviewed Sergeant/SC CHRISTOPHER P. HANLON, EOD: 02/16/81, SP Remsen, Troop "D", who stated he was the venue supervisor near the North Gate at Woodstock '99 on July 26, 1999 at about 3:00 AM. Sergeant HANLON admitted being the supervisor of the Troopers described by reporter PAT LOUISE and that he and other Troopers photographed one nude woman and one partially nude woman. Sergeant HANLON advised that, to his knowledge, no one had solicited the girls to disrobe, but he could not say whether anyone requested either of these two women to disrobe out of his hearing. Sergeant HANLON admitted taking two photographs of these naked women with a Division camera using film he had personally purchased.

Reference Enclosure #10, statement of Sergeant S/C CHRISTOPHER P. HANLON, dated July 28, 1999.

AT TROOP "K" HEADQUARTERS, POUGHKEEPSIE, NEW YORK

14. On 7/28/99 Lieutenant MICHAEL A. KOPY, IAB South interviewed Tpr ERIC D. REED, EOD: 04/11/94, Troop K Recruiter, who stated he was present at Woodstock '99 on July 26, 1999 at about 3:30 AM. He admitted posing with a topless female.

but denied either of the two females were completely nude. Tpr REED acknowledged that Tpr CHRISTIAN MCCARTHY also posed with the female. He denies soliciting any females to disrobe or hearing any other members do so.

Reference Enclosure #11, statement of Tpr. ERIC D. REED, July 28, 1999.

15. On 7/28/99 Lieutenant KOPY interviewed Trooper CHRISTIAN MCCARTHY, EOD: 04/11/94, SP LaGrange, Troop "K", who stated he was present at the North Gate of Woodstock '99 on July 26, 1999 at about 3:00 AM. Tpr. MCCARTHY admitted that along with Tpr REED, he posed with a topless female, and that as a Field Training Officer, he instructed Probationary Trooper EDWARD KOSILLA, to take his picture with the female. He states he did not solicit the female to disrobe nor did any other member do so. Tpr. MCCARTHY states he never observed either woman completely nude. Tpr. MCCARTHY further indicates that Tpr JAMES WHITTEL, Troop "F", may have participated and that Sgt HANLON was also taking pictures.

[REDACTED]

Reference Enclosure #12, statement of Tpr. CHRISTIAN MCCARTHY, dated July 28, 1999.

16. On 7/28/99 Lieutenant KOPY interviewed probationary Trooper EDWARD KOSCILLA, EOD: 11/02/98, SP LaGrange, Troop K, who was assigned to Woodstock '99 on July 26, 1999 and was at the North Gate at about 3:00 AM. Tpr. KOSCILLA described the two women who were referred to in the newspaper article and stated that his FTO, Tpr MCCARTHY, instructed him to photograph Tpr. MCCARTHY and Tpr REED with two females who had bared their breasts. No solicitation to strip was done or heard by him, and Tpr. KOSCILLA was not sure if any other Division member took a photograph of the two women.

[REDACTED]

Reference Enclosure #13, statement of Tpr. EDWARD KOSCILLA, dated July 28, 1999.

17. On 7/28/99 Lieutenant KOPY interviewed Trooper JOHN K. SUNDSTROM, EOD: 10/05/72, SP Claverack, Troop K, who was assigned to Woodstock '99 and was assigned to the North Gate on July 26, 1999 at about 3:00 AM. He stated that he saw a female lift her shirt and stand in front of Tpr REED, then saw a camera flash but is uncertain if it was Sgt HANLON who took the photo, noting that there were 6 to 8 members "in the area", including HANLON, REED, and Tpr JOHN HALLENBECK. Tpr SUNDSTROM did not hear anyone request either female to disrobe.

Reference Enclosure #14, statement of Tpr. JOHN K. SUNDSTROM, dated July 28, 1999.

18. On 7/28/99 Lieutenant KOPY interviewed Trooper JOHN E. HALLENBECK, EOD: 09/27/93 SP Claverack, Troop K, who was assigned to the area near North Gate on July 26, 1999 at approximately 3:00 PM. Tpr. HALLENBECK stated he never requested nor did he overhear any Division member request any female to disrobe either partially or fully. Tpr. HALLENBECK observed Tprs MCCARTHY and REED pose with topless females

[REDACTED]

At this point Tpr. HALLENBECK observed Sgt. HANLON pointing a camera in the direction of the two females and Tprs. REED and MCCARTHY. Tpr. HALLENBECK believed Sgt. HANLON took a photograph at this time because he overheard Sgt HANLON state, "my camera didn't work." He did not hear or partake in any solicitation of the girls to strip.

Reference Enclosure #15, statement of Tpr. JOHN E. HALLENBECK, dated July 28, 1999.

19. On 7/29/99 Lieutenant KOPY interviewed Trooper CLIFFORD A. BEAUMONT, JR., EOD: 01/08/96, SP Wappinger, Troop K, who was assigned to the Woodstock '99 North Gate area on July 26, 1999 at about 3:00 AM. Tpr. BEAUMONT stated that he was about 150 yds away

from 3 or 4 Troopers and a female with no shirt (her back was to him), when he saw 2 or 3 camera flashes. Trooper BEAUMONT went in the direction of the group, but it broke up and he saw Sergeant HANLON and Tpr MCCARTHY in the location of this former group. Tpr. BEAUMONT did not hear or observe any Division member request any person remove their clothing or pose for photographs.

Reference Enclosure #16, statement of Tpr. CLIFFORD A. BEAUMONT, JR, dated July 29, 1999.

20. On 7/29/99 Lieutenant KOPY interviewed Trooper RUSS S. CAPRIA, EOD: 10/23/97, SP Brewster, Troop K, who was assigned to the North Gate area of Woodstock '99 on July 26, 1999 at approximately 3:00 AM. Tpr. CAPRIA stated that he was involved in an incident wherein Tpr MCCARTHY requested he take a photograph with Tpr. MCCARTHY's camera while he posed next to a topless female. Tpr CAPRIA states that during this time, two other members were also posed, but he does not recall exactly who they were, as Sgt HANLON, Tpr WHITTEL, and a Trooper from Troop "F" (Tpr MALER) were all in this location. Tpr. CAPRIA states he took 2 or 3 photos using two different cameras as he was requested by someone in addition to Tpr. MCCARTHY but was unsure as to who made this request.. Approximately 20 minutes later he states, a topless female and a clothed female were near their group and the topless one asked in general if anyone wanted to take her picture. Tpr CAPRIA turned and shone his flashlight on her while an unknown member (presumably Sgt HANLON) took her picture, but the flash failed to go off. Tpr CAPRIA did not request nor did he hear any Division member request either woman to remove any part of her clothing. Tpr. CAPRIA was able to place Tpr REED and 3 other unknown members at this event.

He states that no member in either event he related, had asked any female to take off clothing.

Reference Enclosure #17, statement of Tpr. RUSS S. CAPRIA, July 29, 1999.

21. On 7/29/99 Lieutenant KOPY interviewed Trooper WILLIAM R. NEMETH, EOD: 04/30/97, SP Brewster, Troop K, who was assigned to the North Gate of Woodstock '99 on July 26, 1999 at about 3:00 AM. Tpr. NEMETH never observed, did not take, did not hear any member request nor did he request any female patron to disrobe or to have her photograph taken by any Division member. The only information Tpr. NEMETH could provide relative to this investigation, was he observed a topless female departing the area of Tpr. MCCARTHY, after which Tpr. MCCARTHY stated to Tpr NEMETH that the woman wanted her photograph taken. Tpr. NEMETH was not advised by Tpr. MCCARTHY whether the female took a photograph or one was taken by Tpr. MCCARTHY.

Reference Enclosure #18, statement of Tpr. WILLIAM R. NEMETH, July 29, 1999.

AT TROOP "F" HEADQUARTERS, MIDDLETOWN, NY

21. On 7/30/99 Lieutenant KOPY interviewed Tpr JAMES A. WHITTEL, EOD: 09/27/93, SP Middletown, Troop "F", who was assigned to the North Gate of Woodstock '99 on July 26, 1999 at about 3:00 AM. Tpr. WHITTEL admitted taking part in at least 3 separate incidents of

photographing nude or semi nude females, including the incident as reported by the Syracuse paper. He places Tprs REED, MALER and MCCARTHY as well as Sgt HANLON there participating in the activity but denies that any member solicited the girls to take off their clothes. Tpr. WHITTEL was unclear as to why one of the women removed all of her clothes, and admitted that he photographed Tpr. MALER with a different topless female. According to Tpr. WHITTEL's recollection, one female simply pulled her shirt up when Tpr. WHITTEL was poised to take the picture.

Reference Enclosure #19, statement of Tpr. JAMES A. WHITTEL, dated July 30, 1999.

22. On July 30, 1999 Lieutenant KOPY interviewed probationary Trooper TERRY R. MALER, EOD: 05/04/98, SP Wurtsboro, Troop "F", who was assigned to the North Gate at Woodstock '99 on July 26, 1999 at 3:00 AM. Tpr. MALER stated he was photographed by Sgt. HANLON while he was posing with a topless woman, and recollected that the woman had requested that a photograph be taken of her. Tpr. MALER believed Tpr. WHITTEL took a photograph at this time as well. Tpr. MALER states he took an additional photograph of a different woman who offered to expose her nipple ring without any prompting by any member. Tpr. MALER could not recall whether any other member took a photograph of this female. Tpr. MALER stated he was not present and was not aware that there were any other photographs taken of either nude or partially nude females other than the ones he had previously described.

Reference Enclosure #20, statement of Tpr. TERRY R. MALER, July 30 1999.

CONCLUSION:

Investigation by the Internal Affairs Bureau has identified the seven above captioned members as having participated in posing with or photographing [redacted] and [redacted] and other unidentified, unclad females while on duty at their assigned post, and all admit their involvement to varying degrees.

[redacted] No photographic evidence has been recovered, with the four members who admitted to having taken pictures stating that they destroyed their film once the conduct became publicized. The individual levels of culpability and the Regulations violated are hereafter listed:

Sergeant/SC CHRISTOPHER HANLON - Sgt. HANLON was the NCO in charge of a detail of 11 Troopers who were assigned to crowd and traffic control at the North Gate area. By his own admission, he encouraged his subordinates to take part in the nude photography of [REDACTED] and [REDACTED] and did take at least two photographs of the women himself, utilizing a Division camera. While under his supervision, at least six members of Sgt. HANLON's squad did neglect their duties and did engage in improper and unprofessional conduct. By his actions, Sergeant HANLON did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner
Sgt. HANLON, along with his subordinates, acted in an improper and unprofessional manner by soliciting female members of the public to expose themselves so that members of the State Police could photograph them and pose with them.

Reg. 8A8a Misconduct - Sgt. HANLON did engage in misconduct by setting an extremely poor leadership example for those he supervised by personally encouraging and participating in the solicitation two females to remove their clothing and then photographing them with a Division issue camera, while neglecting his duties as both a supervisor and member of the State Police.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by participating in encouraging public displays of nudity by female concert patrons, by then photographing them while in uniform in full view of the public, and having these actions widely reported in the national media.

Reg. 8A9d Neglect of duty - by becoming engaged in the photographing of female concert patrons, Sgt. HANLON did neglect his duties as a member of the State Police and as a supervisor of Troopers assigned to specific traffic and crowd control functions.

Reg. 8A9e Failure to assume responsibility or to exercise diligence in the performance of official duties - Sgt. HANLON did fail to act in the manner appropriate for a supervisory member by allowing his subordinates to neglect their duties and become pre-occupied with photographing nude and semi nude females on their post.

Trooper RUSS S. CAPRIA - Tpr. CAPRIA, at the request of Tpr. MC CARTHY, and also another unknown member, did use two cameras to photograph colleagues with a topless female. Approximately twenty minutes later, he used his flashlight to illuminate another topless female while she was being photographed by other Division members. By his actions, Tpr. CAPRIA did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner
Tpr CAPRIA exhibited improper and unprofessional conduct by soliciting female members of the public to expose themselves so that members of the State Police could photograph them.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by engaging

in the photography of topless females while in uniform in a public location, actions which became reported in the national media.

Reg. 8A9d Neglect of duty - assigned to traffic and crowd control, Tpr. CAPRIA ignored his assignment by becoming pre-occupied with photographing one topless female and by watching another being photographed while he illuminated her with a flashlight.

Trooper EDWARD KOSCILLA - a probationary member, Tpr. KOSCILLA, at the request of his Field Training Officer, Tpr. MC CARTHY, did photograph Tprs. MC CARTHY and REED while they posed with a topless female. By his actions, Tpr. KOSCILLA did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner Tpr KOSCILLA exhibited improper and unprofessional conduct by soliciting female members of the public to expose themselves so that members of the State Police could photograph them.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by engaging in the photography of a topless female while in uniform in a public location, actions which became reported in the national media.

Reg. 8A9d Neglect of duty - assigned to traffic and crowd control, Tpr. KOSCILLA ignored his assignment by becoming pre-occupied with photographing a topless female

Trooper TERRY R. MALER - a probationary member, Tpr. MALER did pose with a topless female while in uniform and on duty. He also did engage in the photographing of at least one additional topless female. By his actions, Tpr. MALER did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner Tpr. MALER exhibited improper and unprofessional conduct by soliciting female members of the public to expose themselves so that members of the State Police could photograph and/or pose with them.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by engaging in the photography of a topless female and posing with another while in uniform in a public location, actions which became reported in the national media.

Reg. 8A9d Neglect of duty - assigned to traffic and crowd control, Tpr. MALER ignored his assignment by becoming pre-occupied with photographing and posing with topless females.

Trooper CHRISTIAN MCCARTHY - Tpr. MCCARTHY, a Field Training Officer, did on at least two occasions pose with a semi nude female while in uniform and on duty, and did in at least one

instance instructed his trainee, Tpr. KOSCILLA to record the activity by giving him a camera and instructing him to take his picture with her. By his actions, Tpr. MCCARTHY did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner
Tpr. MCCARTHY exhibited improper and unprofessional conduct by soliciting female members of the public to expose themselves so that members of the State Police could photograph them.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by encouraging the photography of a topless female while he posed with her while in uniform in a public location, actions which became reported in the national media.

Reg. 8A9d Neglect of duty - assigned to traffic and crowd control, Tpr. MCCARTHY ignored his assignment by becoming pre-occupied with being photographed while posing with a topless female.

Reg. 8A9e Failure to assume responsibility or to exercise diligence in the performance of official duties - by failing to act as a proper Field Training Officer, Tpr. MCCARTHY encouraged probationary Tpr. EDWARD KOSCILLA to engage in improper and unprofessional conduct instead of providing a positive leadership example.

Trooper ERIC REED - Tpr. REED admittedly posed in at least 3 instances with naked or semi nude females while on duty at the North Gate post, including [REDACTED] and [REDACTED]. He admits posing with them [REDACTED]

[REDACTED]
Tpr. REED did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner
Tpr. REED exhibited improper and unprofessional conduct by soliciting female members of the public to expose themselves so that members of the State Police could photograph them.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by encouraging the photography of a topless female while he posed with her while in uniform in a public location, actions which became reported in the national media.

Reg. 8A9d Neglect of duty - assigned to traffic and crowd control, Tpr. REED ignored his assignment by becoming pre-occupied with being photographed while posing with a topless female.

Trooper JAMES A. WHITTEL - Tpr. WHITTEL admittedly engaged in at least three instances of photographing nude or semi nude females while on duty at his post, including [REDACTED] and [REDACTED]

██████████ By his actions, Tpr. WHITTEL did violate:

Reg. 8A4 Failure to deal with the public in a courteous, dignified, and businesslike manner
Tpr. WHITTEL exhibited improper and unprofessional conduct by soliciting female members of the public to expose themselves so that members of the State Police could photograph them.

Reg. 8A8b Acting in a manner tending to bring discredit upon the Division - by encouraging the photography of a topless female while he posed with her while in uniform in a public location, actions which became reported in the national media.

Reg. 8A9d Neglect of duty - assigned to traffic and crowd control, Tpr. WHITTEL ignored his assignment by becoming pre-occupied with being photographed while posing with a topless female.

This matter is Founded with respect tot he above cited members and disciplinary action at Division level is recommended.