

I wanted to address this issue tonight to be as transparent as possible with the citizens of Boxborough about the Select Board's process in response to allegations raised against former Police Chief Warren Ryder. As many of you know, after a series of discussions between the former Chief and the Town, it was mutually agreed that the Chief resign and retire from his duties effective April 7<sup>th</sup>, 2023. This process has been very difficult for all involved but it was driven **ONLY** by the Select Board's desire to serve the best interests of the Town. The Select Board wanted to ensure that the operations of the Police Department were conducted with integrity and honesty and that ALL Town employees were treated fairly.

When a former Police Department employee's allegations were made public on social media in October 2021, the Select Board had to respond to the charges. We called an Executive Session with the former Police Chief on October 12, 2021 and then gave the Chief the opportunity to answer the charges in a presentation to the Board and the public on October 18, 2021. At that meeting, because of the serious and possibly criminal nature of the allegations concerning the Police Department, a majority of the Board voted to ask the Interim Town Administrator Carter Terenzini to contact the "Public Corruption Division" of the FBI to conduct an investigation. The Board felt that such an agency had more resources than the Town and it was after all, a disinterested third party; we expected a relatively short investigation, if indeed, the FBI took on the case at all.

The FBI did take the case. We only know that because the Town was contacted several times including fairly recently for specific information and the production of documents. We were surprised to hear that other state investigative agencies, that is, the offices of the Attorney General, the Inspector General and the District Attorney, were also looking at the allegations because the Town had not contacted any other agencies. The Board could not talk about the FBI investigation because the Town was asked by the FBI not to reveal the existence of that investigation or that documents had been requested through Grand Jury subpoenas as doing so could be construed as interfering with their investigation. Eventually, Interim TA Terenzini was able to reveal obliquely that the FBI was involved in the case when he asked for the preservation of documents by all employees and volunteers.

By January 2022, some new issues had come to light and the Select Board voted, this time unanimously, to put Chief Ryder on paid administrative leave; the Board also authorized Carter Terenzini to conduct an investigation on the additional issues that had surfaced leaving aside the allegations that had been referred to the FBI. We again hoped for a speedy resolution but Carter's investigation proved difficult for him and very time-consuming. A lot was going on in Town on other fronts and by late June, 2022, the Board realized that it had to take more direct action to come to a resolution of the issue of the Chief's employment including exploring settlement possibilities with the former Chief.

In July 2022, the Select Board voted unanimously to hire a third-party investigator to look at a subset of the issues that had surfaced and to give Carter Terenzini the authority to find that investigator. Investigator Paul L'Italien was recommended to Carter by KP Law. As stated in his Summary, Mr. L'Italien began working for the Town on August 19, 2022. He then met with Wes Fowlks and myself in order to get an understanding of the scope of his investigation which was to be purely administrative in its focus. Contrary to what has been alleged on social media, Mr. L'Italien never met with the Board as a whole nor were the specifics of his investigation ever discussed by the Board. Mr. L'Italien's only contacts in the Town were TA Carter Terenzini, KP Attorney Joe Fair, Wes Fowlks, myself, eventually TA Michael Johns and Interim Police Chief John Szewczyk and, of course, the witnesses he contacted.

We asked Mr. L’Italien to conduct a speedy investigation...indeed to complete his report before a new TA was hired in the fall. Unfortunately, availability of witnesses and document production held back his investigation and it was not completed until mid-February 2023, a month after someone connected with the FBI had contacted the former Chief’s attorney to say that they would not be seeking an indictment of the former Police Chief. After an investigation of more than 15 months, the FBI contact did not notify the Town of this development but did confirm the information to TA Michael Johns when *he* contacted *them*. To this day, the FBI has not publicly or officially said anything about the status of their investigations. Neither have any of the other entities investigating the allegations, although the Board has reason to believe that at least some of those investigations continue. To be clear, the FBI never issued any written report to the Town or, as far as we know, even verbally commented to anyone about the results of their investigation except for the communication to Chief Ryder’s attorney and the confirmation to TA Johns about the Chief’s status.

In February of this year, based on the completed investigator’s written report, TA Michael Johns and I, as Select Board Chair, with the assistance of Attorney Joe Fair, determined the specific allegations against the Chief that were to be sent to him in a “Notice of Executive Session and Termination Hearing” dated February 24, 2023. As is the usual practice in personnel matters of this type, the Town did not make that “Notice” public so as to protect the privacy interests of the employee. However, someone apparently did make the “Notice” public since it appeared on social media within 36 hours of its being sent to the former Chief and his attorney.

The “Notice” specified a hearing to be held during an Executive Session on March 20, 2023 giving more than the 14 days required by the former Chief’s contract. Contrary to what had been said on social media, the former Chief was told he had the right to attend the Executive Session with his attorney or, if he chose, to request that the hearing be held in a public meeting so that he could respond to the charges in his preferred venue. The hearing was postponed several times while the parties engaged in settlement discussions and then ultimately cancelled after a Settlement Agreement was reached with former Chief Ryder on April 5, 2023. The Select Board was unanimous in its acceptance of that Settlement Agreement. The settlement payment has now been issued and cashed by the former Chief, despite a timing issue from the bank on the day the check was presented for payment.

Throughout this process, the Select Board was limited in what it could communicate to the public about the allegations being investigated because they were, and still are, considered personnel matters. As such, they are subject to privacy restrictions and are not able to be discussed publicly without a formal hearing with the employee present. Additionally, since there were various investigations being conducted during the relevant time period, releasing information while those investigations were ongoing could negatively impact the integrity and fairness of those investigations. And...I want to be very clear about this point...neither the Select Board nor anyone from the TA’s office ever initiated any publicity in print or through the broadcast media about these issues. We take our responsibilities very seriously and do not conduct Town business through political publicity maneuvers or media controversies.

At this point, we cannot and will not comment further on the specific allegations raised but we have put the “Investigator’s Report” with “Exhibits” and the “Settlement Agreement” on the Town website and have been responsive to all *Public Record Requests* regarding additional documentation that can be released. We will also be providing a full accounting of all the monies spent in connection with this

issue to the taxpayers as soon as possible. The Select Board realizes that this issue has been divisive for Town residents but we hope that all parties in the Town can come together now and move on.

At this point, after any further comments from Board Members, the Board is willing to take questions from the public about the steps taken by the Board that I just summarized and will try to be as responsive as possible to the extent that we are allowed by law and in the spirit and terms of the Settlement Agreement.