

Town of Nantucket Police Department

William J. Pittman
Chief of Police

Charles Gibson
Deputy Chief of Police



4 Fairgrounds Road
Nantucket, Massachusetts
02554-2804

Telephone (508) 228-1212
Facsimile (508) 228-7246
www.nantucket-ma.gov/police

October 6, 2022

BY ELECTRONIC MAIL ONLY

Re: Public Records Request - Town of Nantucket Police Department

Dear Mr. Graziadei:

The Town of Nantucket Police Department ("Police Department") is in receipt of your public records request, dated September 23, 2022 sent electronically and received by the Police Department on October 3, 2022. Enclosed please find the Police Department's response to the request in accordance with the Public Records Law.

Summary of Request

In your request, you are seeking the following records:

"We are requesting all records, including e-mails, formal complaints filed, and internal investigation documents, regarding an incident that occurred in August 2022 related to the Nantucket Police Department barracks/dormitory at the LORAN station where community service officers are housed. This request would include any department memos regarding protocols etc. sent as a result of the incident, which as we understand it involved a male Nantucket Police Department employee entering the female barracks unannounced".

Response to Request

Please be advised that the Police Department's duty to respond to records requests extends only to records that are in existence and in its custody, and the Police Department is under no obligation to create records in response to your request. Furthermore, the Police Department is not required to answer questions in response to a public records request. See "A Guide to the Massachusetts Public Records Law," February 2022, published by the Secretary of the Commonwealth, at page 41. Where permitted by law, however, please be advised that such records or material contained therein may be withheld or redacted under any of the exemptions to the Public Records Law, other applicable provisions of law, and/or common law privileges, such as the attorney-client privilege. See, e.g., G.L. c. 4, §7(26); Suffolk Construction Co. v. Div. of Capital Asset Management, 449 Mass. 444, 449-450 (2007); 950 CMR 32.06(3).

Enclosed please find Police Department records in response to your request. The Police Department is providing the enclosed records in response to your request, with certain redactions as allowed pursuant to the provisions of the Public Records Law, as detailed below.

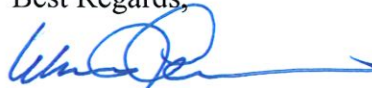
Basis for Redactions

Exemption (c) to the Public Records Law, G.L. c. 4, §7(26)(c) covers “personnel and medical files or information and any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy...” G.L. c. 4, §7(26)(c). Exemption (c) protects both personnel and medical information, as well as “intimate details of a highly personal nature.” Aside from personnel and medical information, the courts have held that Exemption (c) is designed to protect from public disclosure a variety of personal information, including: marital status, paternity, substance abuse, government assistance, family disputes and reputation. People for the Ethical Treatment of Animals (PETA) v. Dep’t of Agric. Res., 477 Mass 280, 292 (2017). In deciding whether there is a privacy interest in requested records and the weight to be accorded any such interest, “we have looked to three factors ... : (1) whether disclosure would result in personal embarrassment to an individual of normal sensibilities; (2) whether the materials sought contain intimate details of a highly personal nature; and (3) whether the same information is available from other sources” (footnote omitted). PETA, 477 Mass. at 292, *citing* Globe Newspaper Co. v. Police Comm'r of Boston, 419 Mass. 852, 858 (“Police Comm'r of Boston”). “ ‘[O]ther case-specific relevant factors’ may [also] influence the calculus.” PETA, *supra*, *quoting* Police Comm'r of Boston, *supra*.

In this instance, the Police Department has carefully considered the application of Exemption (c) to the records requested, to determine whether disclosure of the information is such that the public’s right to know outweighs any individual(s) privacy rights, and considered the factors set forth in the PETA case, cited above. In carefully balancing these interests, the Police Department has concluded that it is appropriate to redact certain information contained in the enclosed records, including memoranda submitted, under Exemption (c). Specifically, highly personal information related to specifically named individuals who provided information regarding this administrative matter has been redacted as the disclosure of which could constitute an unwarranted invasion of personal privacy. In addition, personal e-mail addresses have been redacted pursuant to Exemption (c). Lastly, the names and identifying information of witnesses have been redacted under Exemption (f) of the Public Records Law.

You may appeal this response to the Supervisor of Public Records pursuant to 950 CMR 32.08(1)(d). By law, the Supervisor is required to respond within 10 business days of receipt of your appeal. You may also seek judicial review of an unfavorable response by commencing a civil action in the superior court, under G.L. c. 66, §10A(c).

Best Regards,



William Pittman
Chief of Police

Pittman, William

From: Amanda Perry <aperry@nantucket-ma.gov>
Sent: Wednesday, August 10, 2022 4:20 PM
To: Gibson, Charles
Subject: follow up

Good Afternoon Deputy,

Thank you for meeting with myself and Rick on Tuesday regarding the Loran housing inspection from August 2nd. As I shared, the prominent concern with regard to the inspection was the dialogue that occurred between yourself and residents of the female housing unit. It is my recommendation that further follow up occurs, whether this be an in person meeting with a RA (Tirone) of the building or a written letter acknowledging miscommunication and actions that have been taken to ensure a similar situation does not happen again. As I shared, the seasonal employees look up to leaders such as yourself as representatives of the entire Department. Your well intentions of introducing yourself were not well received, and a request from the parties involved is an apology. I did share with the Chief that you would desire a follow up conversation with him directly, and if he has not already reached out, he will.

Thank you,

Amanda Perry
Town of Nantucket
Human Resources Director
16 Broad Street Nantucket MA 02554
aperry@nantucket-ma.gov
Phone (508) 228-7200 ext.7308
Fax (508) 325-7556
www.nantucket-ma.gov

This email was scanned by Bitdefender

Pittman, William

From: Pittman, William
Sent: Wednesday, August 3, 2022 4:28 PM
To: Pittman, William
Subject: Sconset Loran Barracks Access

Good Afternoon,

THIS INFORMATION IS IMPORTANT AND FAILURE TO ADHERE TO THESE INSTRUCTIONS COULD RESULT IN DISCIPLINARY ACTION

Access to the residential portions of the two buildings out at the Loran Barracks is RESTRICTED only to NPD personnel assigned to reside in those facilities and the full-time staff assigned as RA's for the facility. If anyone else needs access to the residential side of the facility for any reason other than putting out a fire, they must first notify Lt. Coakley or Lt. MacVicar of their need to enter the facility. The Lieutenant will then insure that those residing therein have been provided adequate notice of the intent to enter the facility to include the date and time entry is anticipated.

This order does not prohibit unannounced inspection of the facility by designated full-time staff. However, entry for this purpose can only be made with the prior approval of the Chief of Police. In these situations, entry should only be made by persons of the same sex as those residing therein the building. For instance, if the inspection is to be made of the dormitory occupied only by females, then only a female officer may enter the facility for the purposes of conducting these unannounced inspections.

If there are any questions about this, please feel free to contact me.

William J. Pittman, MPA

Chief of Police

Nantucket Police Department

4 Fairgrounds Road

Nantucket, MA 02554

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To: Chief Pittman

From: Lieutenant Coakley

Subject: Loran summer housing concern

Date: August 3, 2022

Chief Pittman,

On Tuesday August 2, 2022 at 12:47pm, I received a text message on my phone as I was sitting at my desk. The message was from [REDACTED] and [REDACTED] requested that I "call [REDACTED] when I have a chance."

[REDACTED] currently [REDACTED] at the NPD summer housing facility known as the Loran, located on Low Beach Rd. [REDACTED] duties related to the facility are [REDACTED] of the summer CSO staff living there.

I called [REDACTED] back at 12:48pm and [REDACTED] picked up immediately. [REDACTED] told me that [REDACTED] received a call from one of our [REDACTED] reporting an incident at the Loran housing involving female CSO's [REDACTED] is a [REDACTED] summer CSO who is assigned as an [REDACTED] for the female building at the Loran facility. CSO's normally report to the RA's on lower priority housing related concerns.

[REDACTED] told me that [REDACTED] had complained [REDACTED] that a group of men had come to the Loran housing "unannounced." [REDACTED] reported the [REDACTED] said that when they entered someone had called out "I hope you're decent!" Then, as the men entered, they challenged them as to who they were and why they were there. After a brief exchange, one of them, Deputy Chief Gibson at one point said "shut up" and continued to examine the interior of the common areas with the men. The other men were later determined to be contractors being escorted by the Deputy. The contractors are planning for a major project at the facility.

[REDACTED] that none of them were naked, or not decent, at the time but they frequently are. It was not clear exactly how many minutes the group was there.

I then told [REDACTED] to reach out to them and express my apology for the miscommunication resulting in this encounter. I also told him that we could post a sign on the outer door that tells visitors to stop, knock and wait for a response. I also told him that we will better coordinate any contractor visits in advance in the future and that I would talk to the Deputy Chief about their concerns.

I asked [REDACTED] if he had anything else to add and he said no. I ended our conversation by telling him that if they were still upset or concerned, I would have someone more senior meet with them.

A short time later, I went to see the Deputy Chief. I told him [REDACTED] had reported that they were upset about the visit. He explained that it was just contractors looking at the common spaces for the

upcoming project. He also said that he had knocked and announced the group before entering the facility. I told him that I would be posting a sign on the door and working closer with Officer Tirone on coordinating any contractor or utility visits to the facility in the future to avoid any miscommunication.

This morning, Sergeant Dan Mack informed me that [REDACTED] had texted him last night requesting to speak to him. [REDACTED] did not mention why and he responded that he would be on duty today. [REDACTED] did not respond to his reply. [REDACTED] met with Sgt. Mack this morning at 0830 and informed him that [REDACTED] was not present at the Loran when the people had entered and [REDACTED] had learned the details through conversations with the [REDACTED]

[REDACTED] is currently assigned to the [REDACTED] and had informed [REDACTED] Tuesday afternoon. [REDACTED] then informed Lt. MacVicar, who instructed Sgt. Mack at 0845 this morning to have the involved [REDACTED] write a narrative with the details. All of the involved [REDACTED] are scheduled today and I anticipate these narratives being completed early this afternoon.

Respectfully submitted,



Lieutenant Brendan Coakley

Pittman, William

From: Pittman, William
Sent: Thursday, August 4, 2022 10:34 AM
To: Amanda Perry
Subject: FW: [REDACTED]

We received this from [REDACTED] yesterday after our meeting with them.....BP

From: [REDACTED]
Date: August 3, 2022 at 4:50:08 PM EDT
To: "Macvicar, Angus" <AMacvicar@police.nantucket-ma.gov>
Subject: [REDACTED]

Lieutenant MacVicar,

I would like to again thank you and Chief Pittman for your time and respect. I feel much better about this situation.

We all appreciate your help.

Very respectfully,

[REDACTED]

Pittman, William

From: Macvicar, Angus
Sent: Wednesday, August 3, 2022 2:47 PM
To: Pittman, William
Subject: Requested Memo's
Attachments: To-SGT Mack From [REDACTED] To From.pdf; To From for Incident on 080222.docx [REDACTED]

Categories: Coworkers, Command Staff, HTC Favorite

Chief,

Attached find the memo's you requested.

Lt MacVicar

Angus C. MacVicar
Lieutenant

*Nantucket Police Department
4 Fairgrounds Road
Nantucket, Ma 02554
Phone Number (508) 228-1212*

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To: SGT Mack
From: [REDACTED]
Subject: Incident on August 2nd, 2022

August 3rd, 2022

The morning of August 2nd around approximately 0930 I had noticed that there were a group of 5 or 6 men standing near [REDACTED] car, so I waited out at the front door to make sure everything was okay. It was very unusual to see a group of grown men standing in the LORAN parking lot so I watched until [REDACTED] asked them to move for her to back up and until [REDACTED] was safe inside of her car before returning back into my bedroom.

[REDACTED]

As you can imagine, [REDACTED] based on the location of my bedroom, if I was not completed, 5 or 6 grown men, including the Deputy Chief of Police would have seen me [REDACTED]

Moments later after getting out of my bed, around 1130, the same 5 or 6 men had entered the code to our door, Deputy Chief with several contractors, and welcomed themselves in without announcing that they were entering or introducing themselves to any of the women inside of the LORAN at this time.

I had looked around the corner to see the men standing in the kitchen, where [REDACTED] and [REDACTED] were standing, making food, and preparing for their work shift. I was very concerned with who these people were and why they had entered the building without asking anyone or letting anyone know who they were; so I stayed in my bedroom until it was time to leave.

While still in my bedroom, the men had moved on to the garage on the far side of the LORAN, where the bicycles and police equipment is stored. [REDACTED] had then entered our shared bedroom and explained that [REDACTED] voiced how you are supposed to knock when entering the building and how he spoke very disrespectfully towards her and had instructed [REDACTED] to "shut up", when asking who he was, as we were unsure at the time [REDACTED] and I were all very taken aback and shocked that our privacy and wellbeing was interrupted and disregarded.

Deputy Chief Gibson claimed to have knocked on the door when speaking to [REDACTED] but I was inside of the closest room to the front entrance of the women LORAN building and did not hear any knocks or any words of announcement when they had entered the building. This is a large invasion of the privacy granted to the woman living in the all women's side. There have been multiple accounts on numerous days where the women living here are not decent and not willing to let visitors into the building until we are ready to do so. The disregard that the Deputy Chief had for the safety and mental well being of [REDACTED] present during this incident is a poor reflection of the level of respect being given by him.

The women on this side of the LORAN have even instructed the other male CSOs that they need to knock or make a phone call before entering our side, as a precautionary measure to those living here. All officers who have entered this building have treated us with the utmost respect and have waited to be welcomed inside until everyone is decent or have made themselves

known that they are entering the building and to venture off into your private bedrooms if you are not decent.

I was very uncomfortable having 5 or 6 grown men that I have never seen nor met before inside of the place that is supposed to be a safe and respected living environment. I had no idea who these men were and it felt like a breach of my guaranteed safety living in the police barracks with only women to have grown men entering and exploring my living quarters, when they could have been complete strangers.

I would like everyone to understand that this is something that can not be accepted nor welcomed, especially taking into consideration that some women can feel more vulnerable and unsafe around the presence of a group of random grown men entering their living quarters.

I appreciate the timely and respectful manner that you have been taking to take care of the situation and the genuine care you have towards our feelings and wellbeing. I do not see this as a reflection of this department, as I have been treated with nothing but respect and professionalism and have thoroughly enjoyed my time here and look to stay past the summer months. I would like action to be taken to ensure that this does not happen again as I am requesting to stay.



Macvicar, Angus

From: Mack, Daniel
Sent: Wednesday, August 3, 2022 2:19 PM
To: Macvicar, Angus
Subject: FW: Memo: [REDACTED]

From: [REDACTED]
Sent: Wednesday, August 3, 2022 1:37 PM
To: Mack, Daniel <dmack@police.nantucket-ma.gov>
Subject: Memo: [REDACTED]

To Whom It May Concern,

My name is [REDACTED] and I am currently [REDACTED] for [REDACTED]. Today on August 3, 2022, I am filing a complaint with the Nantucket Police Department.

Yesterday, at approximately 11:00 I was walking out of the LORAN to leave for work. As I walked out, I saw three men leaning on my car chatting. I asked them politely to move because I had to leave. In exchange, I received odd looks and a chuckle, but they did move away from my vehicle.

[REDACTED] witnessed this interaction. [REDACTED] had just recently gotten out of bed and grabbed the door as I was walking out. [REDACTED] made sure to stand in the doorway and make sure I got in my car and drove off because she was unsure of the intentions of these unfamiliar men.

Later in the day, at approximately 15:00, I was frantically approached by [REDACTED] while I was working. [REDACTED] explained to me that five unidentified men had entered the women's side of the LORAN without knocking or making themselves known.

[REDACTED] also informed me that there was an exchange between [REDACTED] and one of the men in the building. The exchange seemed to be very disrespectful on behalf of the man who later claimed to be the Deputy Chief.

[REDACTED] said the incident was reported to Officer Tirone immediately after it occurred. Officer Tirone suggested putting a sign on the door to warn people to knock before entering.

Shocked and in distress, I called [REDACTED] to inform him about the situation. I also texted in the [REDACTED] group chat to request a meeting. We still have not had a meeting because it is extremely difficult to align all of our schedules.

My intention in filing this complaint is to hold people accountable for their actions. This incident does not reflect the mission of the Nantucket Police Department through respect nor fairness nor compassion. As a woman in a male-dominated field, I feel as though this was an abuse of power on behalf of the Deputy Chief, as well as an invasion of a reasonable expectation of privacy. I am requesting a formal verbal apology from the Deputy Chief.

If you have any further questions or concerns please contact me through email at [REDACTED] or by telephone at [REDACTED].

To: SGT. Mack
From: [REDACTED]
Subject: Incident On 08/2/22
Date: August 3rd, 2022

On the date of August 2nd, 2022 at approximately 11:30 am, Deputy Chief Gibson brought in four adult males into the girls side of the LORAN. I was standing in the kitchen with [REDACTED] when we heard voices down the hall. That is when we saw five men walking towards us talking amongst themselves. None of them addressed us or even let us know why they were here or who they were. In addition, I had no idea that one of them was the Deputy Chief of police because I have never been introduced to him before or even seen a picture.

When the Deputy Chief first walked in he said "Hope everyone's decent" and smiled to himself without checking or giving us fair warning in case we were not clothed or in a state where we didn't look appropriate. He did not knock on the door or say who it was or what they were planning to do. He simply walked in with four grown men trailing behind him. He walked into the kitchen and was discussing the LORAN with the four other men and didn't acknowledge [REDACTED]. This is when I told him that this is an all girls side so it's appropriate to knock before entering. He then claimed he did knock which is not true since none of us heard it and we are able to hear knocks from the kitchen. In addition, [REDACTED] was in our [REDACTED] right next to the entrance and reported hearing nothing, only the men entering. [REDACTED] then told the Deputy Chief that no one was aware he would be coming and he said "I don't really care". He proceeded to ignore us and continued talking to the men in the room, treating the women in the room with zero respect and basically below human decency. I then asked what his name was since he didn't introduce himself to anyone in the room. He then responded "I'm the Deputy Chief and if you don't know that you should probably shut up".

I then left the room and decided to drive somewhere. I was very shocked that five men barged into the residence [REDACTED] in without announcing themselves or giving us fair warning and even more shocked that they refused to address us, and when I asked him a simple question I was told to shut up. It was extremely upsetting and as a woman I felt very unsafe. I am very grateful for the job I have and the people I have met while I'm here, including all of the respectful and hard-working LTs, SGTs, Officers, and other workers for the department. Unfortunately, this incident has made the decision for me that I would not willingly work for the department again if it is run by someone who shows blatant disregard for women and their safety. His lack of professionalism has made me concerned for every woman working for the Nantucket Police Department and for the women who come to the island who may require his aid.

I would like Deputy Chief Gibson to understand how scary that whole situation can be from a women's perspective and realize that the field of law enforcement will become increasingly filled with women who will not tolerate that kind of behavior. I appreciate you taking the time to read this and letting me express my thoughts and feelings on the situation.

Thank you,
[REDACTED]

Date: 08/03/22
Time: 12:04 pm

To: Sergeant Mack Regarding the Incident of Five Men Walking into the Women Side of the Barracks Unannounced

From: [REDACTED]
[REDACTED]

Description of the events on August 2nd, 2022:

At around 11:00 am I was in [REDACTED] when I heard the door open, then some people walked into the female barracks. I looked down the hall to see who entered the building, and I saw five older men chatting, I was a little surprised, shocked, and a little scared because I had no idea who these men were. I then heard who I later learn was Deputy Chief Gibson say with a chuckle, "I hope everyone is descent" then they proceed to walk into the kitchen not introducing themselves, and completely ignoring me as I was staring at them waiting for someone to tell me why they were there, who they were, and what was going on because everyone was in plain clothes, and I had never met the Deputy Chief. This is when [REDACTED] entered the kitchen [REDACTED] both looked at each other very uncomfortably because this whole group of older men, who were strangers to us just walked into [REDACTED] unannounced and still did not even look at us or acknowledge our presence. Then [REDACTED] said, "Did you knock, you should probably knock this is an all-girls side." Then Deputy Chief Gibson said, "I did knock" then [REDACTED] responded by saying, "Who are you?" and Deputy Chief Gibson responded by saying, "I am the Deputy Chief, if you don't know who I am you should probably shut up". After this conversation, my jaw dropped, and I looked [REDACTED] the sheer disrespect was disgusting to me, I hundred percent understand there is a hierarchy in a police department, but how rude he was to us was gross, and how he expected us to know who he is when he has never introduced himself to us was astonishing. After both [REDACTED] and [REDACTED] went over to talk to [REDACTED] concerning what happened she was in the [REDACTED]. We were all shocked and mortified, [REDACTED] also agreed that [REDACTED] did not hear a knock ether which both [REDACTED] mentioned right after the event, those two went for a car ride. After I didn't even finish my breakfast I ran out to my car as they continued to look through the female barracks, and I called [REDACTED] I was really debating on taking the next ferry out because no one should be talked to like that, and [REDACTED] agreed with me. I sat on the phone with them for half an hour [REDACTED] and talking to them. Even now thinking back to the whole situation it makes [REDACTED] it's just we work all day we want to come back to a safe space where we should not feel violated, and feel as though we have some sense of privacy even though we live with so many people. The situation also made me angry because I work very hard, I do my job, and I keep my head down I should not be disrespected like that, especially for not doing anything wrong but existing in a space that is supposed to be a temporary home to me.

Town of Nantucket Police Department


William J. Pittman
Chief of Police

Charles Gibson
Deputy Chief of Police



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Nantucket, Massachusetts
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Telephone (508) 228-1212
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TO: Amanda Perry
FROM: Deputy Chief Gibson 
SUBJ: LORAN Housing
DATE: August 6, 2022
COPY:

You have requested information regarding the circumstances surrounding the August 2, 2002 pre-bid meeting which occurred at the police housing facility on Low Beach Road. The following is what occurred:

The housing facility on Low Beach Road is awaiting renovations which are planned to commence on or after September 1. There are two bids solicitations underway at this time. They are: 1) Hazardous materials removal and 2) Renovations Phase II.

As part of the renovations bid, a pre-bid walk-through and inspection was scheduled by the Architect for Tuesday August 2, 2022 at 11:00 AM. The Architect requested complete access to all of the buildings depending on what the Contractors wanted to see. There are two buildings which were the subject of the site visit. The Main Building, also known as the boy's dorm and the smaller building, also known as the girl's dorm. The labels are not entirely accurate as there are girls who are residing in the main dorm building. There are no boy's residing on the girl's side at the present time.

I met the Architect and four Contractors at the Low Beach Road facility parking lot at 11:00 AM. At approximately 11:10 AM we walked over to the main dormitory to the breezeway entrance between the kitchen and recreation room. This door was locked with a combination key pad. I entered the door code and we entered the building. The Contractors inspected the area and we moved on to the kitchen area. The Contractors checked the kitchen area and walked down the main hall way to the utility room. The Contractors checked the utility room and then walked towards the laundry room in the west section of the building. A Contractor removed a ceiling tile and took some photos above the ceiling. We walked down the main corridor and exited the building through the middle doorway facing the parking lot. While in the main building we encountered two individuals in the hallway and nothing was said prior to exiting the building.

After we exited the main building, we proceeded across the parking lot to the smaller building to view the garage area. I opened the southeast garage door and the Contractors went inside to check the space. After the Contractors viewed the garage space they exited the garage and I closed it. We walked over to the middle door of the girl's dorm. This door is also locked with a keypad lock. I knocked on the door and then entered the key code and opened the door. I opened the door and announced "Hello", there was no response and there was no one in the common hallway. We walked down the hall and towards the kitchen and I did not see or hear anyone. I proceeded through the kitchen to the rear north exit door that opens to a garage space and the Architect and the Contractors were behind me. At some point, I don't actually recall when, two [REDACTED] appeared in the kitchen area. I'm assuming they came from one of the secured rooms that we walked past in the hallway. [REDACTED] asked what we were doing there and I said that we were doing an inspection of the building. [REDACTED] then responded in a quite disrespectful way, "you could have knocked". I told [REDACTED] I did. [REDACTED] then responded in a similar disrespectful way, "so who are you?" I snapped back at [REDACTED] and to [REDACTED] I was the Deputy Chief. [REDACTED] then left the area. We continued to check the electrical and utility closet in the kitchen area and then exited through the north door into the northern garage space. The Contractors took a few pictures in this space and then we exited the garage into the parking area. The Contractors had a few questions with the Architect and then I left the facility.