

Records Dept:

This letter is presented to you for the demand (exchange) of the Police report and any related documents (Tape recordings, Police statements etc.). I am also requesting the names of all police that are involved in this case. The date of this case started at approx. 10 To 10:30 pm 10/26/98, I would also be requesting any complaints ~~against~~ against the police in question (Freedom of Information Act). I really want to know why (in writing) 3 of the officers refused to give ~~their~~ names or badge numbers, searched my car and myself (officers put his hands down my front pockets and some was done to passenger). In short I would like in writing why a Full Field Search was conducted, I provided a valid lic. and reg. to the officer for alleged civil infraction to which the officer may write citation but by right should not conduct this search: Commonwealth vs. Torres, 424 Mass 153, 157 (1997). State Probable Cause.

Bowditch

Send this information to 11 Bowditch St. Braintree MA 02184

Michael J Hyde (Misha Misha). Date is 1/9/99.

01/22/1999 13:43

6179822138

TOWN OF ABINGTON

PAGE 02

TOWN OF ABINGTON REQUEST FOR USE OF LEGAL COUNSEL

DATE REQUESTED: 01/22/99

DEPARTMENT/BOARD/COMMISSION: Abington Police Department

DEPARTMENT HEAD: Chief Richard L. Franey

REASON FOR REQUEST:

Disclosure of information regarding Michael J. Hyde investigation.

APPROVED BY:

EXECUTIVE SECRETARY YES NO DATE: _____

BOARD OF SELECTMEN VOTE YES NO DATE: _____

THE DEPARTMENT IS HEREBY AUTHORIZED TO CONTACT:

TOWN COUNSEL

SPECIAL/LABOR COUNSEL _____

 OR

CHAIR, BOARD OF SELECTMEN

***** Use of Legal Counsel can be authorized by either the Executive



Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET

ABINGTON, MASSACHUSETTS 02351

TELEPHONE (617) 878-3232

781

RICHARD L. FRANEY
CHIEF OF POLICE

FAX

Date

1/22/99

Number of pages including cover sheet

2

TO:

Greg

Phone

Fax

FROM:

Abington Police
Department.

215 Central Street

Abington Ma. 02351

Phone

781
(617) 878-3232

Fax Phone

(617) 982-2120

781

CC:

REMARKS:

Urgent

For your review

Reply ASAP

Please Comment

Thanks

TOWN OF ABINGTON REQUEST FOR USE OF LEGAL COUNSEL

DATE REQUESTED: 01/22/99

DEPARTMENT/BOARD/COMMISSION: Abington Police Department

DEPARTMENT HEAD: Chief Richard L. Franey

REASON FOR REQUEST:

Disclosure of information regarding Michael J. Hyde investigation.

APPROVED BY:

EXECUTIVE SECRETARY YES _____ NO _____ DATE: _____

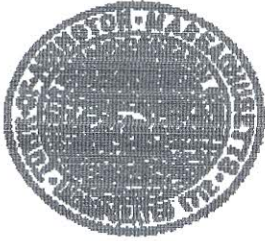
BOARD OF SELECTMEN VOTE YES _____ NO _____ DATE: _____

THE DEPARTMENT IS HEREBY AUTHORIZED TO CONTACT:

TOWN COUNSEL _____ SPECIAL/LABOR COUNSEL _____

EXECUTIVE SECRETARY OR _____
CHAIR, BOARD OF SELECTMEN

**** Use of Legal Counsel can be authorized by either the Executive Secretary or the Board of Selectmen.



Town of Abington
OFFICE OF
BOARD OF SELECTMEN
500 Gliniewicz Way
ABINGTON, MASS. 02351
(781) 982-2100
FAX (781) 982-2138

#pgs. including cover 2
FAX NUMBER 982-2120

To: Dave M.
From: Karen ☺
Date: 1/22/99
Re: _____

FAX



RICHARD L. FRANNEY
CHIEF OF POLICE

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET
ABINGTON, MASSACHUSETTS 02351
TELEPHONE (617) 878-3232

Date: 02/01/99

TO: Michael J. Hyde

FROM: Deputy Chief David Majenski

SUBJECT: Notification Of Disposition/s Of Citizen Complaint Investigation

1. An allegation received and investigated by the Abington Police Department in which you were interviewed or spoken to, has been completed. The findings of the internal investigation have been determined at this time to be as follows:

_____ **SUBSTANTIATED:** Investigation indicates the accused employee committed all of the alleged acts/s of misconduct.

_____ **PARTLY SUBSTANTIATED:** Investigation indicates that the employee has committed part of the alleged act/s of misconduct.

_____ **XXXXXXXXXX EXONERATED:** Investigation disclosed that the employee/s were clearly not involved in any misconduct. Incident occurred, but was lawful and proper.

_____ **UNFOUNDED:** Investigation indicates acts complained of did not occur, or were not committed by members of the Abington Police Department.

_____ **UNSUBSTANTIATED:** Investigation disclosed insufficient evidence to clearly prove or disprove the allegation/s.

_____ **MISCONDUCT NOTED:** Investigation determined that act/s of misconduct other than those alleged in the complaint were committed by the concerned employee.

2. It is the policy of the Abington Police Department to inform you of the results of our internal investigation.
3. The employee complained against will also be notified of the results of the investigation.

Sincerely,

MODE = TRANSMISSION

START=JAN-22 14:19

END=JAN-22 14:21

NO.	COM	SPEED DIAL	STATION NAME/ TELEPHONE NO.	PAGES	PRG. NO.	PROGRAM NAME
-----	-----	------------	--------------------------------	-------	----------	--------------

001	OK		99822138	001		
-----	----	--	----------	-----	--	--

-ABINGTON POLICE -



RICHARD L. FRANEY
CHIEF OF POLICE

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET

ABINGTON, MASSACHUSETTS 02351

TELEPHONE (617) 878-3232

INTERNAL INVESTIGATION COMPLAINT REPORT

Today's Date & Time <i>11/31/99 @ 4³⁰ P.M.</i>		Case #
Method of Contact <input type="checkbox"/> Telephone <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Written		
Complainant (Last, First MI) <i>HYDE, MICHAEL J.</i>		
Residential Address <i>11 BOWDITCH ST. BRAINTREE, MA.</i>		Tel # <i>849-3117</i>
Business Address		Tel #
Name of Officer Complained Against <i>OFF. MICHAEL AZIZ</i>		
Rank <i>PATROLMAN</i>	Badge # <i>9436</i>	Car # <i>289</i>
Description (If Name Is Not Known)		
Date & Time of Incident <i>10-26-98 @ APPROX. 10³⁰ P.M.</i>		
Location of Incident <i>BROCKTON AV. @ GROVELAND ST.</i>		

Description Of Incident As Reported by Complainant (attach letter if necessary)

<i>SEE ATTACHED LETTER.</i>



RICHARD L. FRANNEY
CHIEF OF POLICE

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET
ABINGTON, MASSACHUSETTS 02351
TELEPHONE (617) 878-3232

INTERNAL INVESTIGATION COMPLAINT REPORT

Today's Date & Time <i>1/31/99 @ 4³⁰ P.M.</i>		Case #
Method of Contact <input type="checkbox"/> Telephone <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Written		
Complainant (Last, First MI) <i>HYDE, MICHAEL J.</i>		
Residential Address <i>11 BONDITCH ST. BRAINSTREE, MA.</i>		Tel # <i>849-3117</i>
Business Address		Tel #
Name of Officer Complained Against <i>OFF. RICHARD GAMBINO</i>		
Rank <i>PATROLMAN</i>	Badge # <i>4250</i>	Car # <i>287</i>
Description (If Name Is Not Known)		
Date & Time of Incident <i>10-26-98 @ APPROX. 10³⁰ P.M.</i>		
Location of Incident <i>BROCKTON AV. @ GROVELAND ST.</i>		

Description Of Incident As Reported by Complainant (attach letter if necessary)

<i>SEE ATTACHED LETTER</i>



RICHARD L. FRANEY
CHIEF OF POLICE

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET
ABINGTON, MASSACHUSETTS 02351
TELEPHONE (617) 878-3232

INTERNAL INVESTIGATION COMPLAINT REPORT

Today's Date & Time <i>11/3/99 @ 4³⁰ P.M.</i>		Case #	
Method of Contact		<input type="checkbox"/> Telephone <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Written	
Complainant (Last, First MI) <i>HYDE, MICHAEL J.</i>			
Residential Address <i>11 BOWDITCH ST. BRAintree, MA.</i>		Tel # <i>849-3117</i>	
Business Address		Tel #	
Name of Officer Complained Against <i>DET. STEPHEN MARGUANT</i>			
Rank <i>DETECTIVE</i>	Badge # <i>3465</i>	Car # <i>284</i>	
Description (If Name Is Not Known)			
Date & Time of Incident <i>10-26-98 @ APPROX. 10³⁰ P.M.</i>			
Location of Incident <i>BROCKTON AV. @ GROVELAND ST.</i>			

Description Of Incident As Reported by Complainant (attach letter if necessary)

<i>SEE ATTACHED LETTER</i>



RICHARD L. FRANNEY
CHIEF OF POLICE

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET
ABINGTON, MASSACHUSETTS 02351
TELEPHONE (617) 878-3232

INTERNAL INVESTIGATION COMPLAINT REPORT

Today's Date & Time <i>11/3/99 @ 4³⁰ P.M.</i>		Case #
Method of Contact <input type="checkbox"/> Telephone <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Written		
Complainant (Last, First MI) <i>HYDE MICHAEL J.</i>		
Residential Address <i>11 BOWDITCH ST. BRAINTREE, MA</i>		Tel # <i>849-3117</i>
Business Address		Tel #
Name of Officer Complained Against <i>SGT. KEVIN M. FORCE</i>		
Rank <i>SERGEANT</i>	Badge # <i>1169</i>	Car # <i>284</i>
Description (If Name Is Not Known)		
Date & Time of Incident <i>10-26-98 @ APPROX. 10³⁰ P.M.</i>		
Location of Incident <i>BROCKTON AV. @ GROVELAND ST.</i>		

Description Of Incident As Reported by Complainant (attach letter if necessary)

<i>SEE ATTACHED LETTER</i>

ABINGTON POLICE DEPARTMENT

REPORT OF: DET. SGT. KEVIN M. FORCE

INCIDENT: MICHAEL J. HYDE

ON OCTOBER 26TH, 1998, A ONE MICHAEL J. HYDE, 11 BOWDITCH ST., BRAINTREE, MASS., WAS PULLED OVER BY OFFICER MICHAEL AZIZ, FOR CIVIL M/V INFRACTIONS. THE STOP OCCURRED AT APPROXIMATELY 10:30 P.M., WHEN THE HYDE M/V PULLED INTO THE PARKING LOT OF AUTO COUNTRY, 15 GROVELAND ST., ABINGTON. OFFICER AZIZ CALLED OFF HIS STOP, AND WAS SUBSEQUENTLY BACKED UP BY OFFICER RICHARD GAMBINO. SHORTLY THEREAFTER, MYSELF, ALONG WITH DET. STEPHEN MARQUARDT ARRIVED TO LEND ASSISTANCE, IF NEED BE. OFFICER AZIZ WAS CONVERSING WITH THE OPERATOR, IDENTIFIED AS A ONE MICHAEL J. HYDE, INFORMING MR. HYDE OF THE REASONS BEHIND THE STOP, AS WELL AS REQUESTING MR. HYDE'S LICENSE, AND REGISTRATION. SHORTLY THEREAFTER, OFFICER RICHARD GAMBINO ARRIVED, TO ASSIST. OFFICER GAMBINO APPROACHED THE PASSENGER'S SIDE, TO ENGAGE THE PASSENGER (IDENTIFICATION WAS NOT RETAINED), IN CONVERSATION. WHILE SPEAKING WITH THE PASSENGER, OFFICER GAMBINO STATES THAT SAID PASSENGER, WHILE SEATED IN THE PASSENGER'S SEAT, OPENED UP THE FRONT OF HIS COAT WITH HIS LEFT HAND, PULLING THE COAT OPEN, AND TOWARDS THE CONSOLE AREA, EXPOSING HIS LEFT HIP, AND THE MIDDLE CONSOLE AREA. THE PASSENGER THEN REACHED WITH HIS RIGHT HAND, TOWARDS HIS LEFT HIP, AND OR, THE CONSOLE AREA OF THE M/V INTERIOR, WHICH WAS NOT OPEN TO OFFICER GAMBINO'S VIEW. OFFICER GAMBINO STATES THAT HE BELIEVED THIS MOTION TO BE CONSISTENT, WITH THAT OF AN INDIVIDUAL REACHING FOR A WEAPON. AS A POINT OF FACT, THIS MOTION IS RECOGNIZED BY LAW ENFORCEMENT OFFICERS, AS WELL AS LAY PERSONS, TO BE THAT OF AN INDIVIDUAL REACHING FOR A WEAPON. AT THIS TIME, OFFICER GAMBINO OPENED THE PASSENGER'S SIDE DOOR, AND REQUESTED THE PASSENGER STEP FROM THE M/V. OFFICER GAMBINO ALERTED OFFICER AZIZ OF HIS OBSERVATIONS, AND, AS A RESULT, OFFICER AZIZ REQUESTED THE OPERATOR, MR. MICHAEL J. HYDE, TO STEP FROM HIS M/V. BOTH SUBJECTS WERE ASKED TO STEP TO THE REAR OF THE HYDE M/V, AND WERE SUBSEQUENTLY PAT FRISKED FOR WEAPONS. AFTER CONDUCTING A CURSORY PAT FRISK, OF THEIR EXTERIOR CLOTHING FOR WEAPONS, NEITHER MR. MICHAEL HYDE, NOR HIS PASSENGER, WERE SUBJECTED TO FURTHER SEARCH. SOMETIME DURING THIS EXCHANGE, DET. STEPHEN MARQUARDT AND I, ARRIVED AT THE SCENE OF THE STOP. OUR PARTICIPATION IS OTHERWISE DOCUMENTED ELSEWHERE.

AFTER LOOKING INTO THIS MATTER, AND SPEAKING WITH EACH OFFICER INVOLVED, AT LENGTH, I FIND ABSOLUTELY NO INFRINGEMENT UP-



Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET

ABINGTON, MASSACHUSETTS 02351

TELEPHONE (781) 878-3232

FAX (781) 982-2120

RICHARD L. TRANEY
CHIEF OF POLICE

DAVID O. MAJERSKI
DEPUTY CHIEF

FAX

DATE: 4/29/99

of pages, including cover sheet

TO: SUSANNE SOLLIVAN Phone # Fax # 1-508-584-7065	FROM: THE ABINGTON POLICE DEPARTMENT 215 CENTRAL STREET ABINGTON, MA 02351 Phone # (781) 878-3232 Fax # (781) 982-2120
---	--

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

ON ANYONE'S CIVIL RIGHTS. THE PAT FRISK FOR WEAPONS, WAS IN RESPONSE TO OFFICER RICHARD GAMBINO'S OBSERVATIONS OF THE PASSENGER. AGAIN, AS STATED ABOVE, OFFICER GAMBINO OBSERVED THE PASSENGER REACH TOWARD HIS LEFT HIP, OR CONSOLE AREA, IN A CLASSIC MOTION TO PERHAPS RETREIVE A WEAPON SECRETED THEREIN. OFFICER GAMBINO WAS CERTAINLY WITHIN HIS RIGHTS, TO REQUEST THE PASASENGER STEP FROM THE M/V, AND, IN RESPONSE, OFFICER AZIZ WAS ALSO WITHIN HIS RIGHTS TO ASK THE OPERATOR TO DO THE SAME....HAVING NO KNOWLEDGE THAT IF THERE WAS A WEAPON, IF THE PASSENGER HAD POSSESSION OF SAME, OR IF THE ITEM COULD BE CONCEALED IN THE CONSOLE. THE RESULTANT PAT FRISK WAS SHORT, MINIMALLY INTRUSIVE, AND INTENDED ONLY TO ENSURE THE SAFETY OF ALL OFFICERS PRESENT.

NUMEROUS COURT DECISIONS ADDRESS THIS VERY ISSUE. THE MOST PROMINENT BEING THE SUPREME COURT'S DECISION IN TERRY VS. OHIO, 392 U.S. 1 (1968). THE "TERRY" DECISION ESTABLISHED THE "STOP AND FRISK DOCTRINE", WHICH ESSENTIALLY ALLOWS POLICE OFFICERS TO STOP, AND INQUIRE OF INDIVIDUALS, IF THE OFFICER POSSESSES REASONABLE SUSPICION THAT THE SUBJECT HAS COMMITTED, IS COMMITTING, OR IS ABOUT TO COMMIT AN OFFENSE. HOWEVER, NOT EVERY STOP, WILL JUSTIFY A "FRISK" OF THE INDIVIDUAL. TO JUSTIFY A "FRISK", THE OFFICER MUST PRESENT ADDITIONAL SPECIFIC, AND ARTICULABLE FACTS THAT HE WAS REASONABLY IN FEAR FOR HIS SAFETY, OR THE SAFETY OF OTHERS. A LIMITED SEARCH OF THE OUTER CLOTHING, FOR THE SOLE PURPOSE OF DISCOVERING WEAPONS, IS THEN HELD TO BE REASONABLE UNDER THE 4TH AMMENDMENT.

FURTHERMORE, MASSACHUSETTS POLICE OFFICERS ARE SPECIFICALLY AUTHORIZED BY M.G.L. CH. 41, SECTION 98, TO STOP INDIVIDUALS WHO THEY SUSPECT OF UNLAWFUL DESIGN, AND MAY SEARCH SUCH PERSONS FOR DANGEROUS WEAPONS, IF HE REASONABLY SUSPECTS THAT HE IS IN DANGER OF LIFE, AND LIMB. IN ADDITION, AS STATED ABOVE, THERE ARE A LITANY OF MASS. SUPREME JUDICIAL COURT CASES, JUSTIFYING SUCH CONDUCT BY POLICE OFFICERS.

IN CONCLUSION, THE PAT FRISK OF MR. MICHAEL J. HYDE, AND HIS PASSENGER, WERE CERTAINLY JUSTIFYED, GIVEN THE ABOVE SCENARIO. I FEAR THAT IF OFFICER GAMBINO HAD TURNED A BLIND EYE TOWARDS THE ACTIONS OF THE PASSENGER, THEN HE WOULD HAVE SUBJECTED HIMSELF, OFFICER AZIZ, AND OTHER RESPONDING OFFICERS, TO A POTENTIAL HAZARD. OFFICER GAMBINO, AND OFFICER AZIZ WERE WARRANTED, JUSTIFYED, AND COMPELLED TO FURTHER THIS STOP, AND CONDUCT THE SUBSEQUENT PAT FRISK....FAILURE TO DO SO WOULD HAVE BEEN NEGLIGENT ON THEIR PART. THIS WAS A CLASSIC EXAMPLE OF GOOD, HEADS UP POLICE WORK.

Respectfully,

Sgt. Kevin M. Form

records Dept.

This letter is presented to you for the demand (exchange) of the Police report and any related documents (Tape recordings, Police statements etc.). I am also requesting the names of All police that are involved in this case. The date of this case started at approx. 10 To 10:30 pm 10/26/98, I would also be requesting any complaints ~~against~~ against the police in question (Freedom of Information Act). I really want to know why (in writing) 3 of the officers refused to give ~~their~~ names or badge numbers, searched my car and myself (officers put his hands down my front pockets and same was done to passenger). In short I would like in writing why a Full Field Search was conducted I provided a valid Lic. and reg. to the officer for alleged civil infraction to which the officer may write citation but by right should not conducted this search: Commonwealth vs. Torres, 424 Mass 153, 157 (1997). State Probable Cause.

Send this information to 11 Bowditch St. Braintree MA 02184

Michael J Hyde (Mike Hyde), Date is 1/9/99.

AZIZ - X

GAMBINO - PASS. ONLY

MINGUANT - PASS. ?

FORNE - X

2.1.99

Chief/Deputy,

HERE'S THE REPORT ON
THE HYDE INCIDENT YOU
REQUESTED. IF I CAN DO
ANYTHING ELSE, OR IF I NEG-
LECTED TO INCLUDE SOMETHING,
PLEASE LET ME KNOW.

Det. R

MODE = TRANSMISSION

START=APR-29 14:37

END=APR-29 14:41

NO.	COM	SPEED DIAL	STATION NAME/ TELEPHONE NO.	PAGES	PRG.NO.	PROGRAM NAME
-----	-----	------------	--------------------------------	-------	---------	--------------

001	OK	8	915085847065	008		
-----	----	---	--------------	-----	--	--

-ABINGTON POLICE -

***** - 617 9822120- *****



RICHARD L. FRANNEY
CHIEF OF POLICE

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET

ABINGTON, MASSACHUSETTS 02351

TELEPHONE (617) 878-3232

Date: 02/01/99

COPY

TO: Michael J. Hyde

FROM: Deputy Chief David Majenski

SUBJECT: Notification Of Disposition/s Of Citizen Complaint Investigation

1. An allegation received and investigated by the Abington Police Department in which you were interviewed or spoken to, has been completed. The findings of the internal investigation have been determined at this time to be as follows:

_____ **SUBSTANTIATED:** Investigation indicates the accused employee committed all of the alleged acts/s of misconduct.

_____ **PARTLY SUBSTANTIATED:** Investigation indicates that the employee has committed part of the alleged act/s of misconduct.

_____ **XXXXXXXXX EXONERATED:** Investigation disclosed that the employee/s were clearly not involved in any misconduct. Incident occurred, but was lawful and proper.

_____ **UNFOUNDED:** Investigation indicates acts complained of did not occur, or were not committed by members of the Abington Police Department.

_____ **UNSUBSTANTIATED:** Investigation disclosed insufficient evidence to clearly prove or disprove the allegation/s.

_____ **MISCONDUCT NOTED:** Investigation determined that act/s of misconduct other than those alleged in the complaint were committed by the concerned employee.

2. It is the policy of the Abington Police Department to inform you of the results of our internal investigation.

3. The employee complained against will also be notified of the results of the investigation.

Sincerely,

Sent : 03/17/1999 By: Roderick Ambrose
Subject: "THE CALL"
To: David Majenski

To: Chief Deputy Chief

On 031699, I received a call from a "reporter" sounding just like Michael Hyde. He asked me if he could ask some question about the Hyde case and I said sure. On every question, I responded I couldn't comment on the pending case. This person subsequently spoke to you, and then called for Offs. Gambino and Aziz, (who are on vacation), a few minutes after speaking to you.

Sgt Ambrose

OK



RICHARD L. FRANEY
CHIEF OF POLICE

DAVID G. MAJENSKI
DEPUTY CHIEF

Town of Abington

ABINGTON POLICE DEPARTMENT

215 CENTRAL STREET

ABINGTON, MASSACHUSETTS 02351

TELEPHONE (781) 878-3232

FAX (781) 982-2120

Interview of Daniel Hardesty

On 05/26/99, at about 3:45 PM, Assistant District Attorney, Suzann Sullivan, of the Plymouth County District Attorney's Office, contacted me at the Abington Police Station. She requested I interview Daniel Hardesty, 82 Vernon St., in Rockland, MA, the passenger in Michael Hyde's car, on the night in question, regarding the illegal and surreptitious interception recording of four Abington Police Officers, in violation of MGL Ch. 272 Sec. 99.

Det. Stephen Marquardt and I knocked on Daniel's door at about 6:26 PM. Det. Marquardt was in full department uniform, I was in plainclothes and showed my badge and ID Card, which Daniel said he didn't have to see, he believed we were police. I explained we were requested to speak to interview him by the DA's Office.

Daniel said that "late that night, around maybe 9:30-10," he and Michael Hyde were on their way going to play pool at the Corner Pocket, (Cafe, in Abington). They took a right turn after the Abington Savings Bank on Washington St, passing the Christy's/Seven-Eleven Convenience Store. He observed one police officer possibly exiting the store, and the officer looked at them. (I asked about 'them' and he said "meaning the car". He didn't know if they were seen by the officer, but he stated they could have been.

Daniel and Michael Hyde proceeded down the road "a little, maybe a mile" Daniel said they heard a siren and pulled off the road, at the fork, which was a dangerous area, and pulled into a used car lot. A policeman came to Michael Hyde and asked for license and registration.

"At that point", said Daniel, Michael Hyde asked why he was pulled over. "The cop said because of the loud exhaust". Michael Hyde replied his car was a 'European Special Edition Exhaust'. Daniel said it was a Porsche. Daniel said both he and Michael Hyde were mechanics and had worked together for ten years. (He stated later he still works with Michael Hyde).

Daniel went on to say that a policeman asked for his license and he said sure, no problem, and reached into his wallet and gave the license. Daniel then said at that point, his, (the passenger side), door, opened and he was asked to step out. Daniel asked what was going on and the officer repeated his request to step out of the car. The officer was still polite. The officer asked him what he was hiding under the seat. Daniel said "nothing". Daniel was asked to go to the rear of the car and put his hands on the car. He said the police officer asked, "Where the drugs were", and Daniel said he didn't have any drugs. Daniel said his coat and items were placed on the car, at this time.

"Around this point", Michael Hyde was with another police officer. Daniel observed two 'detectives' arrive from the street area. Daniel asked if he could go and he was told no. He said the situation had "gone crazy" and Daniel said this is 'bull or bullshit'. He said the cop with Michael Hyde called Michael Hyde an 'asshole'. The both of them were involved in "childish bickering" said Daniel.

He then informed us he watched the police search the car and he heard someone say, you don't have to worry, you don't have blow in the car. Daniel said Michael Hyde was "mouthy".

I asked if he knew why they might want to search the car. I asked him if he dropped anything, put anything on the floor, put out a cigarette or turned on a radio. Daniel said none of that, but he told us he did look down at his beeper on his belt, as the police were coming to the car.

Daniel told us Michael Hyde asked why he was called an asshole and asked for names. No names were given. Daniel said one of the officers was swearing to "get the fuck out" and told Michael Hyde to leave or he was promised he would fail a roadside sobriety test. Daniel said that on the third or fourth time, Michael Hyde was called and 'asshole' a detective told the officer to stop. Daniel described this detective who was with him as mid 40s to 50. but he wasn't paying attention much. Daniel said he could describe the police there except for the detective on the other side of the car. (He did not realize Det. Marquardt was present at this incident and had spoken to him during this event, and was now sitting across from him,. He said they both got in the car and left.

As they were driving away, Michael Hyde said to Daniel. "I hope I got all that down on tape".

Michael Hyde later told Daniel he went to the Abington Police to report damage to a car door that Daniel said couldn't be seen that night due to the darkness.

Daniel also told us he was questioned about CDs on the car floor in front of him, in the passenger area. He said they were Michael Hyde's.

I asked Daniel if he knew where the tape recorder was that was used by Michael Hyde. Daniel said he didn't see Michael's recorder, and only knew of the taping from what Michael Hyde had told him. I asked about any videotape, and Daniel knew nothing of any videotape.

I asked Daniel if he had been asked to show up at any of Michael Hyde's hearings and Daniel said he was asked to go, but he didn't want to because he didn't want to get involved. He was only going if he got a subpoena.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Roderick Ambrose". The signature is written in black ink and is positioned below the typed name.

Sgt. Roderick Ambrose
Abington Police Department

NOTES

Sept. 98

Sgt David Benoit
SP

Brighton

617 727-7472

4pm - 7:30 AM.

N

293 6363