

Letter Regarding the Mayor's Remarks in the August 14, 2021 Nashua Telegraph Article:

I read with disappointment, the propaganda piece that was spoon fed to the Nashua Telegraph by Mayor Donchess (Aug. 14, 2021) relating to his on-going effort to set the police department back a generation. It was my understanding that journalism involved making even a modicum effort to get both sides of the story before putting one version forth as the truth. That clearly didn't happen here.

I'm referring to the specific remarks made in an obvious effort to either downplay or dismiss altogether, the documented facts surrounding a 1993 investigation of three Nashua Aldermen and what is a legitimate concern for the "home rule" oversight of the police department that the Mayor is pushing. His desire to control the police commission will undoubtedly over time, allow local politics to seep into decisions made by law enforcement. It will ultimately result in a two-tiered system of the administration of justice; those who have influence and those who do not. And it is apparent that if you do not agree with his plan, he tends to take that personally. This observation alone illustrates my point about the concern everyone should have about politics becoming entangled with law enforcement.

I've elected to use language more direct in this correspondence than I would have otherwise, because after reading the article, I too am taking this personally because his false statements clearly have resulted in my integrity being called into question in a public venue.

Before I begin the autopsy of the Mayor's remarks, I should say that the investigative file for the three involved Aldermen was sealed and secured within the United States Attorney's Office in Concord since 1993, and remained that way at the time of the Mayor's remarks to the Telegraph. I'm perplexed as to how he could make the errant statements he has about its contents, other than to note that the sealed files benefited the Mayor's false narrative. However, as of approximately August 19th, and for the first time, the Nashua Police investigative reports, have been unsealed by the US Attorney and anyone wishing to file a FOIA request can view them. I'm told the federal reports related to the case remain sealed.

Mayor Donchess stated to the Telegraph with both authority and a dismissive choice of words that the notion that there were attempts to influence the outcome of the initial investigation by some was an "exaggeration" and that the story keeps growing over time. This is false.

If the Telegraph would have researched its own archives, (Nashua Telegraph April 8, 1995) it would have discovered among the many articles relating to this incident, that I have consistently alluded to the attempts by some to change the outcome of the investigation. In fact during that time, the Telegraph was actually trying to identify those who had been linked to that effort. I'm dumbfounded as to how the Mayor can with a straight face suggest that this allegation has been embellished by me over time in light of the record on this very topic going back almost 30 years.

The Mayor also said that "this was not a city of Nashua prosecution, it was a Federal prosecution and that the idea that "an alderman, or the mayor could pressure the US Attorney to back away is ridiculous". Moreover, he said that "local departments don't investigate any type of wrong doing

by local officials, it goes to an outside agency”. The Mayor is again either misinformed or worse, intentionally spreading another falsehood.

If the Mayor had looked at this case file before speaking recklessly, he would know that the overwhelming majority of all investigative reports were authored by either myself or then Detective Sergeant Douglas Hayes on Nashua Police Report Forms. He would further know of the manner by which this case unfolded. He would know that yes, it ultimately became a Federal prosecution, but that initially it was a local, Nashua Police investigation into a single allegation of bribery by one sitting alderman that would have followed state protocols for prosecution. There was no FBI nor Assistant US Attorney consulting with my partner and I early on. However, at some point during the Nashua Police investigation, my partner and I did meet with the NH Attorney General and asked for his recommendation and referral to seek Federal prosecution instead, owing to the fact that the Federal laws on these matters had more teeth than the ones of the State. This was because by that juncture of our investigation, we knew we were developing information to suggest the scope of our inquiry would be widening to others on the BOA. Sometime following our request, it indeed did become a Federal prosecution.

The Mayor added that the idea that these three aldermen tried to stop the investigation is “fallacious”. That “there is no evidence of this” and that if there were, they would have been charged accordingly.

I have never once suggested that the three aldermen indicted ever attempted to influence the outcome of the investigation. In fact, I have consistently related that then Chief Raymond Landry, to whom I answered to directly because of the sensitive nature of this case, was the one who told me early on that he had received a number of phone calls from others who were subtly seeking the conclusion of the investigation since we intended to charge the initial alderman. Furthermore, it was my understanding that some of these efforts emanated either directly or indirectly from alderman other than the three in question, (Nashua Telegraph April 8, 1995) who thought they either had already, or might become in the near future, potential targets of our work. Neither Chief Landry, nor I have ever suggested that it was these three particular aldermen who made these calls. Again, the facts the Mayor is promulgating on this front are untrue.

The mayor also proclaimed that the local police would not investigate allegations against city officials. This too is yet another erroneous assertion. The Nashua Police have on a number of occasions in the past, investigated allegations involving both elected officials and others doing official business with the city. And, were a similar allegation to occur today, I would expect the “local” police to follow the same procedure and conduct that investigation. It’s unclear to me what knowledge of investigative propriety the Mayor is drawing from to confidently make this false statement. He is again either misguided or again playing loose with the truth. Given that the Mayor is an attorney, and that he was a local politician at the time (and in fact, Mayor in the time just preceding the investigation and during some of the illegal conduct), his claims are particularly troubling.

Lastly, the guest editorial that I submitted to the Telegraph in February, 2014 states facts and circumstances that were consistent with the information attributed to me in and around 1993. It is also consistent with any information I provided to the BOA during its hearings on this matter

in July of 2021. I am convinced that if elected officials had had a say in the oversight of the police department in 1993, there would not have been a complete, thorough, and responsible investigation. There has been no wavering from the facts I put forward previously.

Sometimes, when your plans are dealt a set back, you rely on embellishments to overcome. I believe that's what is happening here. The BOA, after listening to all the testimony this summer, thoughtfully voted to table this misguided idea and refer it to a study committee. This was so the voters would be better informed before voting for something they have had little time to understand, rather than having to rely solely on one fanciful account from the Mayor, who possesses one desired outcome which is to have control over the police department. The amount of disinformation being peddled by the Mayor during this single interview is deeply troubling.

After illustrating the numerous falsehoods that the Mayor has asserted during one single interview to bolster his cause, just imagine if he had the authority to appoint and remove the police commissioners to assist him in controlling the department according to his agenda.

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