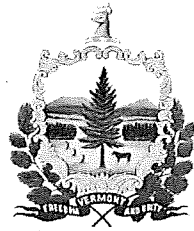


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February 26, 2019

Dear Defense Counsel,

This notice is provided pursuant to the State's discovery obligation under V.R.Cr.P. 16, *Brady v. Maryland*, 363 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972).

The Rutland County State's Attorney's Office (RCSAO) has received information that Officer Jeffrey Warfle from the Rutland City Police Department (RCPD) has been disciplined via an Internal Investigation (Internal) and demoted from Corporal to Officer. This action stems from an incident that occurred on July 27, 2018. On that date, according to the Internal, Officer Warfle arrested an individual whom he believed was acting disorderly and aggressive. He took the individual back to the police station and processed him for the charge of Disorderly Conduct. On that same date, an acquaintance of the individual arrested, went to the police station and complained that Ofc. Warfle had used excessive force. This complaint ultimately led to the Internal. During the course of the Internal, Ofc. Warfle admitted that while he believed the individual was acting aggressively at the time of the arrest, in hindsight, that may have not been the case and the individual's actions did not rise to the level of a criminal charge of Disorderly Conduct. To the State's knowledge, Ofc. Warfle never authored an affidavit of probable cause nor sent a case to the RCSAO for review. Ofc. Warfle cited the individual and then determined he did not have sufficient facts to bring the charge.

Kindly contact me directly if you have any questions or concerns about this information. Please note, however, that my office does not employ Officer Warfle and consequently does not maintain a personnel file on him. On February 10, 2019, the Rutland City attorney provided the RCSAO a redacted copy of a portion of the Internal. If you would like a copy of that information, please contact my office.

The RCSAO is committed to fulfilling our discovery obligations regarding credible allegations of police misconduct. Should you become aware of such misconduct, I ask that you promptly inform me in writing so that my office may take action.

Best Wishes,



Rosemary M. Kennedy
State's Attorney