

RORY T. THIBAUT
STATE'S ATTORNEY

KRISTIN GOZZI
SR. DEPUTY STATE'S ATTORNEY

BRIDGET GRACE
JENNIFER NEYENHOUSE
ALFONSO VILLEGAS
DEPUTY STATE'S ATTORNEYS



STATE OF VERMONT
OFFICE OF THE
WASHINGTON COUNTY STATE'S ATTORNEY
255 NORTH MAIN STREET, SUITE 9
BARRE, VT 05641-4163
TELEPHONE: (802) 479-4220
FAX: (802) 479-4408

SUSAN SABENS
ELIZABETH HEBERT
ADMINISTRATION & SUPPORT

HOLLY LEACH
MELISSA BICKELMAN
VICTIM ADVOCATES

TODD PROTZMAN
INVESTIGATOR

October 12, 2020

MEMORANDUM FOR DISTRIBUTION

In re: Trooper John Gildea, Vermont State Police

Dear Counsel:

It has come to my attention that Trooper John Gildea, of the Vermont State Police – Middlesex Barracks, was the subject of a criminal investigation.

In reviewing Case No. 20B403274, I concluded that there is credible evidence that during multiple traffic stops Trooper Gildea failed to inquire into whether operators were subject to the Servicemembers Civil Relief Act (SCRA) or about their military duty status. Nevertheless, Vermont Civil Violation Complaints issued to the operators and filed with the Vermont Judicial Bureau reflected that this inquiry had occurred. Criminal charges were declined. While no operator/defendant appears to have been prejudiced, Trooper Gildea's acts/omissions resulted in inaccurate information being relied upon by the Vermont Judicial Bureau. I concluded that this conduct creates a cognizable basis to challenge the credibility and accuracy of representations made by Trooper Gildea.

Although there is no evidence to suggest that Trooper Gildea's reports filed in your client's cases are not accurate this information is disclosed consistent with the State's Constitutional and ethical requirements, including V.R.Cr.P. 16(a)(2)(G) and (b)(2) to ensure awareness of this matter for purposes of discovery planning and disposition of pending cases where Trooper Gildea was the investigating officer. Thank you.

Very Respectfully,

A handwritten signature in blue ink, appearing to read "Rory T. Thibault".

Rory T. Thibault
State's Attorney

Encl.

Distribution:

Assigned Counsel in Open Cases

Lt. David White, VSP-Middlesex

Lt. Rob McKenna, VSP-Headquarters