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December 28, 2022

Chief Eric Nordenson
Montpelier Police Department
1 Pitkin Court
Montpelier, VT 05602

In re: Cpl. Chad Bean, Montpelier Police Department

Dear Chief Nordenson:

I am receipt of the supplemental information concerning the internal affairs investigation into Cpl. Chad Bean, received December 23, 2022.

Based on review of these materials, I have made the determination to decline referral of any future cases from Cpl. Bean. Consistent with the Office of the Washington County State's Attorney policy, dated March 15, 2021, I have concluded that there is sufficient credible information to conclude that Cpl. Bean has engaged in conduct of substantial concern, and when considered in light of his prior conduct which triggered a *Giglio* letter, dated March 30, 2022, categorical declination of his cases is appropriate.

The materials detail Cpl. Bean's lack of cooperation and candor with the internal affairs process, and moreover, he may have engaged in illegal behavior by recording an individual without his consent. Most problematic is the information that Cpl. Bean recorded individuals, without their consent, outside the scope of law enforcement duties and without any licensure or certification to act as a private investigator. Turning to the office policy on whether to decline cases, the materials provided support declination on the following, non-exhaustive, factors:

- Deceptive statements or omissions in a formal setting, including testimony, affidavits, incident reports, official statements, or internal affairs investigations;
- Repeated, habitual or a pattern of dishonesty, however minor, during internal affairs investigation;
- Other deceitful acts that demonstrate disregard for Constitutional rights of others or the laws, policies and standards applicable to the officer's conduct.

Under the circumstances, I do not have confidence in Cpl. Bean's respect for the law, for policy, or to follow the orders/directives of leadership within the City of Montpelier and the Montpelier Police Department. What is even more alarming is the apparent decision making process occurring with the benefit of advice of counsel – especially given he appears to be acting contrary to such advice and his best interests.

Accordingly, this office will not accept any cases in which Cpl. Bean is the arresting or investigating officer. The materials provided will be available under the existing *Brady/Giglio* disclosure to the extent Cpl. Bean is a witness in any pending matters.

Please let me know if you have any questions or concerns.

Very Respectfully,



Rory T. Thibault
State's Attorney