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January 27, 2023

MEMORANDUM FOR DISTRIBUTION

**In re: Trooper Paul Pennoyer, Vermont State Police**

Dear Counsel:

It has come to my attention that Trooper Paul Pennoyer, of the Vermont State Police – Berlin Barracks, was the subject of a criminal investigation. The investigation resulted in Trooper Pennoyer being cited for the offense of unauthorized access, in violation of 13 V.S.A. § 4102.

In reviewing the matter, Case No. 22B5002281, there is credible evidence that Trooper Pennoyer previously received consent to search of an individual's mobile phone during a criminal investigation, and during that search he obtained (and retained) login credentials for the individual's Facebook account. Thereafter, he is alleged to have accessed the Facebook account without the express consent of the individual during an attempt to locate the individual following a vehicle pursuit involving multiple law enforcement agencies. It should be noted that Trooper Pennoyer appeared to be cooperative and truthful with investigators during the investigative process.

Although there is no evidence to suggest that Trooper Pennoyer's reports filed in your client's cases are not accurate, that the rights of any other individuals were violated, or that any other evidence or information was mishandled, this information is being 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 Pennoyer was involved. Thank you.

Very Respectfully,

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

Rory T. Thibault  
State's Attorney

Distribution:

Assigned Counsel in Open Cases

Lt. David White, VSP-Berlin

Lt. Rob McKenna, VSP-Headquarters