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In case 20BB0900, Brattleboro Police Officer Bradley Penniman prepared an affidavit of probable cause which contains a material misstatement. The affidavit states that a notice of hearing containing defendant's name was in a bag containing drugs when that notice was found in a different bag. That location was relayed to him from another officer, but he does not remember which officer and no other officer recalls making the statement.

In 20BB07801, Brattleboro Police Officer Bradley Penniman submitted a sworn affidavit in support of a search warrant application stating he "initiated a motor vehicle stop" based, among other things, on his having "recognized the operator," who the Officer knew had a criminally suspended license. When later deposed, Officer Penniman similarly stated that he activated the cruiser's blue lights after recognizing the operator. The cruiser video, however, shows that Officer Penniman was not in a position to recognize the operator of the motor vehicle until after the cruiser's blue lights were activated. Officer Penniman did not review his cruiser video prior to writing the affidavit supporting the warrant or prior to the deposition.

Copies of all relevant materials for both of these matters are available for production on request.