

MELBOURNE VILLAGE POLICE

555 Hammock Road • Melbourne Village, FL 32904-2513

(321) 725-7224

Fax (321) 872-0001

June 29, 2011

Officer Ryan Pill
Melbourne Village Police Department
Melbourne Village, Florida

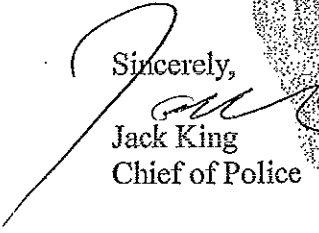
Dear Sir:

On June 24th I learned from Chief Doug Muldoon of the Palm Bay Police Department that you were a suspect in a sexual assault. You were relieved of your slated tour of duty on the night of June 25th pending further investigation. On Monday June 27th I learned from Detective Cambell of the Palm Bay Police department, that she had probable cause of your involvement and was in the process of sending the case to the Brevard County State Attorney.

On June 27th I ordered Sergeant Wheeler to suspend you with pay immediately. You subsequently turned your Village ID card and shield over to him.

You are advised that you will remain under suspension with pay and that this matter will also be investigated internally.

Sincerely,


Jack King
Chief of Police

MELBOURNE VILLAGE POLICE

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August 3, 2011

Officer Ryan Pill
Melbourne Village Police Department
Melbourne Village, Florida

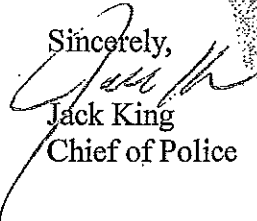
Dear Sir:

Effective today you will resume your patrol duties and your paid suspension is terminated. This action is the result of the State Attorney's decision not to prosecute the case sent to their office by Palm Bay Police Department.

I have also learned from Sergeant Lynch of the Melbourne Police Department that he is closing out the Internal Affairs Investigation as unsustainable in this matter as it pertains to the case sent to the State Attorney.

You should be aware that until his final report is submitted with his findings and recommendations, this case is still open but at the present time you are not facing adverse punitive action that would result in termination from the department. I will keep you informed when I receive the final investigation which may or may not indicate collateral violations of departmental policy.

Sincerely,


Jack King
Chief of Police

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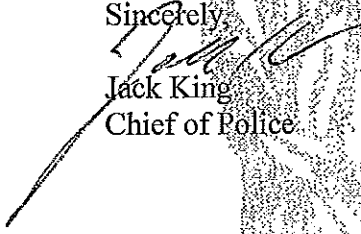
August 16, 2011

Officer Ryan Pili
Melbourne Village Police Department
Melbourne Village, Florida

Dear Sir:

I have received the final report of the Internal Affairs Investigation that you were the target of. The investigation has determined the charges against you have not been sustained. This letter will become part of your permanent file and the IA report will be kept in a separate location.

Sincerely,


Jack King
Chief of Police

Daniel Lynch - Re: Melbourne Village I.A.

From: Jack King <mvpd801@gmail.com>
To: Steve Mimbs <Smimbs@melbourneflorida.org>
Date: 6/30/2011 3:42 PM
Subject: Re: Melbourne Village I.A.
CC: Daniel Lynch <Dlynch@melbourneflorida.org>, Mary Burns <Mburns@melbourne...>

Thanks for the assist,
Jack

On Thu, Jun 30, 2011 at 2:47 PM, Steve Mimbs <Smimbs@melbourneflorida.org> wrote:

Sgt. Daniel Lynch will be conducting the investigation and will make contact with you in order to proceed.
Steve Mimbs
Chief of Police
Melbourne Police Department
Office 321-409-3315
Fax 321-242-4881
e-mail smimbs@melbourneflorida.org

>>> Jack King <mvpd801@gmail.com> 06-30-2011 1:33 PM >>>
Chief Steve Mimbs:

In order to conform totally with the Police Officer's Bill of Rights and under our mutual aid agreement, I request your assistance in conducting an internal affair investigation into the allegations of sexual assault against a member of this department. Detective Jasmine Campbell is the lead investigator at the Palm Bay Police Department (733-3028) and has almost completed her investigation. I would appreciate your help in this matter.

Sincerely,

Chief Jack King
Melbourne Village Police Department



Melbourne POLICE

Internal Affairs Unit

DATE: August 16, 2011

TO: Chief of Police Jack King
Melbourne Village Police Department

FROM: Detective Sergeant Daniel Lynch
Internal Affairs Unit

SUBJECT: Officer Ryan Pill/ IA-2011-029 – Executive Summary

AUTHORITY

On June 30, 2011, the Chief of Police of the Melbourne Police Department, Steve Mimbs, agreed to assist the Chief of Police of the Melbourne Village Police Department, Jack King, with an internal affairs investigation. The subject officer was Officer Ryan Pill. Chief Mimbs assigned this investigation to Detective Sergeant Daniel Lynch. The assist was carried out and authorized by the mutual aid agreement signed between all the agencies in Brevard County on April 20, 2011. (Section 2 subsection f.)

ALLEGATION

██████████ claimed Officer Ryan Pill committed sexual battery on her during the evening of June 23, 2011. This criminal allegation was investigated by the Palm Bay Police Department with charges being filed with the State Attorney's Office on or about July 14, 2011.

Subsequently, the State Attorney's Office decided there was insufficient evidence to pursue a criminal case. On August 12, 2011 Assistant State Attorney Julia Lynch sent an e-mail notification to Sgt. Lynch stating this fact.

STATEMENTS

██████████ gave a statement to the Palm Bay Police Department during the course of their criminal investigation. However, due to inconsistencies within her first statement, another statement was obtained by this investigator for this internal investigation.

██████████ responded to the Melbourne Police Department on July 19th, 2011 and gave a sworn tape recorded statement to this investigator. Below is a summary of that statement.

██████████ stated she met Ofc. Pill in high school and had been involved in an off and on relationship with him since. ██████████ characterized this relationship as being sexual, emotional, and at times financial. (██████████, pg. 5) In ██████████ words, Ofc. Pill was a "friend with benefits" (██████████, page 3). According to sworn testimony, ██████████ stated that the two were sexually intimate as recently as May and June of 2011. (██████████, pg. 2-3)

On the evening of June 23, 2011, the night in question, Ofc. Pill picked up ██████████ and the two drove to Meg O'Malleys. They were accompanied by Sgt. Jason Wheeler of the Melbourne Village Police Department. Meg O' Malley's is located at 812 East New Haven Ave. in Melbourne. The two met Chief Jack King at the restaurant and had dinner.

██████████ was very sure of her memory regarding what the two had for dinner, and the amount of drinks they consumed during their time at the restaurant. ██████████ advised that they ate nachos, and she had three drinks (some beer and some liquor) during the two hours they were at the restaurant. (██████████, pg. 10)

Following their time at the restaurant the two went to the movies at the Oaks Ten Theater which is located at 1800 West Hibiscus Blvd. in Melbourne. The two left the movies some time around 9:00 p.m.

██████████ stated she was driving Ofc. Pill's vehicle back to his apartment in south east Palm Bay. During the ride home there was conversation about him dropping her off at the County Line Saloon, but she chose not to and continued back to Ofc. Pill's apartment. (██████████, pg. 12-13) Once they got back to the apartment, Ofc. Pill and ██████████ began to watch a movie on a fold out couch/bed. The two had at least two more beers, but ██████████ stated she did not finish hers. (██████████, pg. 14) At some point the two discussed going back to the County Line Saloon to meet up with ██████████ friends. However, since it was past 10 p.m. and ██████████ would not get in for free she decided to stay the night at Ofc. Pill's apartment. It should be noted that ██████████ stated Ofc. Pill offered to take her to the County Line Saloon if she chose to go, but this did not happen (██████████, pg. 15)

At this point ██████████ stated Ofc. Pill changed into other clothes and began to lay down on the couch with her. I asked ██████████ about this point and her memory became inconclusive. See the exact exchange below,

Q1 Was there any sort of physical contact at that point?

A1 Um, I don't remember.

Q1 You don't remember.

A1 Exactly, no.

Q1 Like did he put his arm around or were you like cuddling? Cause I- I read in the text messages that you guys would cuddle and watch movies a lot. Okay so were- were you guys doing that?

A1 Uh, I- I have no idea.

Q1 Okay.

A1 (laughs)

Q1 Okay, alright so then what happens?

A1 Uh and...I- see I'm not- don't quite remember like exactly how it all happened.

Q1 Why?

A1 Anymore-

Q1 What do you mean you don't remember?

A1 Well... (sigh)

Q1 Take your time, I mean there's no rush.

A1 Yeah... I know he had... tried... like starting... like he started like touching me...

Q1 Okay.

A1 And uh, and I told him like no.

Q1 is Sgt. Lynch and A1 is [REDACTED]

[REDACTED] goes on to say that Ofc. Pill was touching her over her pants in the vagina area, and then at some point under her pants. However, [REDACTED] states she told Ofc. Pill to stop numerous times. This continues until [REDACTED] allows Ofc. Pill to remove her pants and perform oral sex on her. In fact, [REDACTED] stated on the record, that she didn't think she helped Ofc. Pill remove her pants. ([REDACTED], pg. 24) But when questioned about the removing of the pants, [REDACTED] finally stated "I don't remember"

I asked [REDACTED] if she ever told Ofc. Pill to not perform oral sex on her and she stated she had not. ([REDACTED], pg. 23) I further asked if she ever pushed his head away or even flick him on the head as an indicator to stop. [REDACTED] stated she did not. ([REDACTED], pg. 23) I also asked [REDACTED] if she ever told Ofc. Pill to "eat her out" initially she told me she had not said those words, then she doubted she told him to "eat her out". ([REDACTED], pg.34) After the oral sex, Ofc. Pill and [REDACTED] had vaginal sex. [REDACTED] stated that at no time did she ever tell him to stop during the sex act. ([REDACTED], pg. 25) When I asked [REDACTED] to explain the comments she made to the

Palm Bay police detectives about pushing Ofc. Pill off her, she stated that did shove him, but could not remember if it was before or after her allowing him to perform oral sex on her. (██████████, pg. 30) Following the sex, ██████████ stated her and Ofc. Pill cleaned themselves up and the two fell back asleep on the couch. ██████████ could not remember if they slept naked or not, but she did say that they fell back asleep with Ofc. Pills arm around her.

██████████ further stated that at no point did she yell at Ofc. Pill or even tell him she was not happy about the sexual encounter on the evening of July 23, 2011. (██████████, pg. 25)

The next morning ██████████ stated she did not mention her feelings to Ofc. Pill until they were driving in his car. ██████████ stated she asked Ofc. Pill if he respected her and why he didn't stop trying to have sex with her when she first said no. (██████████, pg. 28) ██████████ stated that Ofc. Pill acquiesced to her comments by saying he was sorry and he was an "asshole". It was not until a text message after the two separated that she told Ofc. Pill, "I think you raped me" (██████████, pg. 28-29)

After leaving Ofc. Pill, ██████████ told no less than three people about her interactions with him on the night prior. In each of these conversations, ██████████ freely uses the word, "rape" in her description. (██████████, pg. 30-32)

This concluded my first tape recorded interview with ██████████. After the interview, I explained the process of an internal affairs investigation to ██████████ and then she left the Melbourne Police Department.

At approximately 3:00 p.m. ██████████ called me back at the Melbourne Police Department and asked to see if she could read Ofc. Pill's statement. I initially told her that she could, but after consulting with the State Attorney's Office I found out she could not.

At approximately 4:00 p.m. ██████████ came to the Melbourne Police Department. She was under the impression she could read Ofc. Pill's statement but when I told her she could not, but she did ask if she could make another statement on the record. I allowed her this and during this statement she stated, "I would like all charges to be dropped against him (Ofc. Pill)". (██████████2, pg. 1) ██████████ stated she made this request on her own accord and with not outside influences.

SUBJECT OFFICER STATEMENT

Ofc. Ryan Pill gave a sworn recorded statement to the Palm Bay Police Department during their criminal investigation and that statement was used during this administrative investigation. The statement provided by Ofc. Pill was given in the presence and under the guidance of his attorney, Alan Landman. Ofc. Pill was not formally interviewed during this internal investigation.

Ofc. Pill gave a very detailed statement about the events of June 23, 2011. Ofc. Pill's version of events up to the part when the two get back to his apartment is consistent with [REDACTED] version of events. However, Ofc. Pill stated he thought [REDACTED] was "tipsy" after leaving Meg O' Malleys.

Once they are back at the apartment, Ofc. Pill gives a clear picture of the events as he recalls them. Ofc. Pill stated that he was lying on the bed with [REDACTED] watching a movie. At the time he had his head on her shoulder/chest area and was rubbing his hand on her vagina area over her pants. Ofc. Pill then stated he put his hands down her pants and began to digitally penetrate her vagina. After a few moments of this, Ofc. Pill stated that [REDACTED] asked him to "eat her out" and he complied with her request. Ofc. Pill stated that following the oral sex, he moved up and had vaginal sex with [REDACTED]. Ofc. Pill stated that at no time did [REDACTED] say for him to stop or express and unhappiness with his actions.

Following the sex, Ofc. Pill stated that he got [REDACTED] a towel for her to clean up with and then the two fell asleep in a cuddling type situation.

The following day when [REDACTED] became emotional and asked him if he respected her, he stated that he did respect her. Then when [REDACTED] began to use the term rape with him, he was confused but said whatever he thought would make [REDACTED] feel better. The same is true for the recorded phone call that was conducted. Ofc. Pill listened to the phone call in the presence of his attorney and the investigating detective. Following the recording Ofc. Pill stated he did not like hearing [REDACTED] get up set and in turn became upset himself. Also, he reiterated that his comments were made in an effort to say what he thought [REDACTED] wanted to hear to make her feel better.

OTHER

It should be noted that during the time frame of this event, [REDACTED] was trying to become a surrogate mother for a friend of her family and was under orders from this family friend and her doctor to not have sex. This was a tremendous issue for [REDACTED] and weighed very heavy on her mind.

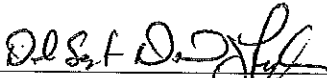
CONCLUSIONS

Based on the inconclusive statements by both parties there is not enough sufficient evidence to conclude what exactly happened between Ofc. Pill and [REDACTED] on the night of June 23, 2011. This is the same conclusion the State Attorney's Office had to come to when they reviewed all the evidence in the investigation.

From an investigative stand point however, Ofc. Pill's recollection of the night was much more detailed and concise than [REDACTED]. In [REDACTED] statement to this investigator she failed to remember key parts of the evening. Issues such as who took her pants off and whether or not she told Ofc. Pill to "eat her out" leave much to be questioned about her statement. This coupled with [REDACTED] request to drop all charges against Ofc. Pill leads this investigator to question her version of events.

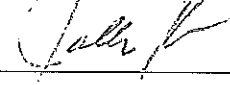
If you have any questions about this report please notify me and I will make myself available to discuss further.

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in SS. 112.532 and 112.533 Florida Statutes.

Signed: 
Det. Sgt. Daniel Lynch

Sworn to and subscribed before me, the undersigned authority

This: 14 Day of 16, 2011

Signature 

Notary/Law Enforcement Officer in
Performance of Official Duties