



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL

**Investigation of Allegations of Misconduct by Captain Terrance Revella
of the New York State Department of Environmental Conservation**

November 17, 2006

I. INTRODUCTION

In August 2006 the Office of the State Inspector General received information that called into question the propriety of two traffic stops conducted by Captain Terrance Revella of the New York State Department of Environmental Conservation (DEC), who since October 2003 has been temporarily assigned to the New York State Office of Homeland Security (OHS). The first incident occurred on August 10, 2006 and the second on August 12, 2006.

As a result of Revella's actions during these incidents, and at his direction, two persons were arrested and handcuffed for Disorderly Conduct, a third person was issued an appearance ticket for Disorderly Conduct, and a fourth was issued summonses for speeding and for making an unsafe or improper lane change.

At the time that this Office received the above-referenced complaints, OHS had already begun, and, in fact, had substantially completed, an investigation into Revella's actions. This Office joined the on-going investigation, which is now completed, and is reporting on its conclusions and recommendations.

This Office has concluded that Revella not only failed to follow proper DEC rules and regulations, but abused his law enforcement powers to such an extent that we have contacted the appropriate district attorneys to recommend that the charges against the four persons referenced above be dismissed.

Revella's actions in these recent incidents, when combined with the record of his prior conduct, raise particularly serious and troubling questions regarding his character, judgment and integrity. This Office referred the results of this investigation to DEC with the recommendation that Revella be terminated. Revella subsequently resigned. This Office also referred the findings to the New York State Attorney General's Office for a determination of whether criminal charges should be brought against Revella. The Attorney General's Office is also seeking to determine if there are additional individuals

who may have been involved in similar incidents with Revella. Anyone who may have information is asked to contact Investigator Royal Remington at (845) 485-3903.

II. PRIOR MATTERS INVOLVING REVELLA

Revella's conduct during these recent incidents must be evaluated in the context of his prior actions, some of which have come to the attention of this Office during this investigation. What emerges is a pattern of poor judgment and erratic, harassing behavior directed at private citizens, colleagues and his subordinates.

A. Prior Investigation by the Office of the State Inspector General

By letter dated June 15, 2000, this Office forwarded to DEC the results of its investigation of an inappropriate relationship between Revella, then the Director of the DEC Division of Law Enforcement, and a female subordinate. In our report on the matter, we concluded, based upon credible evidence, that such an inappropriate relationship had, in fact, occurred and, as such, Revella had demonstrated a lack of fitness for the important law enforcement position he held.

As a result of this investigation, Revella was demoted and removed from the position of Director of DEC Division of Law Enforcement.

B. DEC Matters

Less than one year later, Revella was again involved in an incident that resulted in disciplinary charges. This incident is remarkably similar to the incidents discussed in this report in that Revella harassed a private citizen during a traffic incident and then subsequently lied about the events. On April 13, 2001, while on duty as a Chief Environmental Conservation Officer with DEC, Revella, utilizing his vehicle's public address system, called a private citizen driving with his wife in front of Revella a "dumb moron" and an "idiot." After using these epithets, Revella then pulled alongside the motorist, lowered his passenger side window, and threatened to arrest the motorist for "obstruction."

The DEC disciplinary charges relating to this matter further alleged that Revella had lied during a subsequent interrogation, when he stated that at the time of the incident he was responding to an emergency call for assistance from the New York City Police Department.

The Notice of Discipline, dated January 3, 2002, sought a reduction in grade from a Chief Environmental Conservation Officer (SG23) to a Supervising Environmental Conservation Officer (SG18). Revella's personnel file reflects that the disciplinary

matter was settled in 2003 with his loss of five days of vacation leave and his submission of a letter of apology to the civilian complainants.

During this Office's investigation of the two recent incidents, Robert T. Lucas and Leslie H. Wilson, the Director and Assistant Director, respectively, of the DLE at DEC, informed us of yet another incident in which Revella exercised poor judgment. Revella, while operating an unmarked police car, was stopped by a State Trooper for speeding on the Thruway. He pointed to the silver stars on his collar [he was then the Director of the DLE], told the trooper who he was, and sped away from the traffic stop without being released by the trooper. Revella then refused to comply with the trooper's numerous subsequent attempts to stop him over a distance of approximately 20 miles on the Thruway. We were told that this incident strained relationships between the Division of State Police and the DLE and caused the members of the DLE great embarrassment.

III. REVELLA'S TEMPORARY ASSIGNMENT TO OHS & THE POLICY GOVERNING HIS ACTIONS

A. Memorandum Between DEC and OHS

(Note: OHS was formerly known as the New York State Office of Public Security (OPS))

By a memorandum dated October 2, 2003 from then DEC Assistant Commissioner James W. Tuffey to then OPS Director James W. McMahon, the OPS and DEC agreed that Revella would be temporarily assigned to OPS, as the OPS liaison to the New York City Office of Emergency Management. The "conditions of assignment" for Revella included the following:

4. The OPS assignment will be non-uniform. Capt. Revella will keep the vehicle currently assigned to him along with the DEC radio installed in the vehicle, the Metro 21 radio, service weapon and E-Z pass (MTA)

6. The use of police powers during this assignment by Captain Revella will be guided by the [DEC] Division of Law Enforcement Policy and Procedure Manual, Article IV Police Procedures, Off-duty Conduct: Exercise of Police Authority.

B. DEC Division of Law Enforcement (DLE) Policy and Procedure Manual

The DLE Manual, under "Off-duty Conduct: Exercise of Police Authority," Section IV ("Procedures"), B ("Off-Duty Exercise of Police Authority"), provides:

When off-duty and within the legal jurisdiction of the DLE, a Member may exercise police authority when each of the following conditions exist:

1. The situation is an emergency situation and the exercise of police authority is necessary to prevent imminent danger to the public or gross and irreversible destruction to property and excessive environmental degradation;
2. The off-duty Member can utilize his/her police authority in a manner which does not unreasonably increase the danger to the Member or the public given the circumstances

Section IV.C (“Off-Duty Responsibilities”) states in pertinent part:

1. While off-duty, it is the responsibility of the Member to use good judgment and to notify the appropriate on-duty authority of suspected violations of law that may affect the safety of the public or cause significant property damage or environmental degradation, instead of becoming personally involved if possible.
3. The off-duty Member shall immediately notify his/her supervisor of his/her actions.

“Unmarked Patrol Vehicles,” Section IV (“Procedures”) states that:

- 1.b. Unmarked police vehicles will not make routine V&T stops.

The DLE Manual also cites an Executive Order issued by the Governor on May 1, 1996,

Ordering that unmarked police vehicles of the State of New York not be used for the routine stopping of motorists in connection with traffic violations.

Note: The Governor noted that this Executive Order only applies to routine traffic violations and not to offenders presenting a substantial threat to public safety. For example, if a state law enforcement official in an unmarked car witnesses a car weaving erratically and suspects the motorist may be intoxicated, he can pull the car over.

Finally, under “Vehicular Pursuits,” the DLE Manual states that:

Class D such as Pickup trucks, Expedition and Tahoe vehicles...may not be used as pursuit vehicles.

IV. THE AUGUST 10, 2006 INCIDENT

A. The Vehicle Stop

At approximately 4:05 p.m. on August 10, 2006, while traveling southbound on the Taconic State Parkway near Pleasantville, a female driver was pulled over by Revella, who was wearing jeans and a t-shirt and driving a state-owned, unmarked black Chevrolet Tahoe equipped with emergency lights.

While Revella’s and the driver’s descriptions of the interactions between their vehicles differed, Revella gave two different accounts of what precipitated the traffic stop. The first account was contemporaneous with the event and given to the State Trooper who arrived on the scene. This account was consistent with the driver’s description of events. Two weeks later, in a memorandum to his supervisor, Revella altered his description of the events in a manner which would suggest that his actions were more in keeping with DEC rules and regulations.

When interviewed during this investigation, the driver said that the incident began when Revella pulled up behind her and flashed his vehicle’s lights, which caused her to change to the center lane, after which the Tahoe then passed her.

State Trooper Miguel Cepeda said Revella told him on the scene that Revella had decided to pull the driver over because, as he approached her vehicle from the rear, he clocked her doing 80 mph and, when she moved from the left to the center lane when he approached, she did so without signaling. Revella thus described to Trooper Cepeda that the driver was speeding and had changed lanes without signaling. The Governor’s Executive Order, cited previously, prohibits the use of an unmarked police vehicle to make a traffic stop for these types of violations.

However, in a memorandum dated August 21, 2006 to State Police Inspector Ulric MacKenzie, who was on temporary assignment to the OPS and Revella’s supervisor, Revella wrote that the driver’s vehicle “suddenly and abruptly cut in front of my vehicle at a high rate of speed without signaling. This action caused me to brake abruptly to avoid a collision with said vehicle.” This version described conduct more reckless than speeding necessary to justify the initial stop.

Even crediting Revella’s version of events as described by Cepeda, Revella must have been driving in excess of 80 mph to have approached, from the rear, the vehicle which, according to Revella, was driving at 80 mph. Revella offered no justification or explanation for his own speeding.

The female driver described that the Tahoe, in the left lane, then pulled alongside her vehicle and the Tahoe's driver "gave me a real scary leer." She described seeing "a lot of hand gestures and motions". The Tahoe then pulled back behind her and began tailgating her. She described the other driver's conduct as playing "cat and mouse". Finally the driver of the Tahoe put on blinking lights and yelled over the loudspeaker to "Pull over right now." He did not identify himself over the loudspeaker as a police officer. The female driver, uncertain that the unmarked vehicle was being driven by a law enforcement officer, continued to drive some distance before pulling her vehicle onto the shoulder of the parkway.

After the female driver pulled off the parkway, Revella approached "wearing jeans and a T-shirt and a black gun on his hip." When Revella asked for her license and registration, she asked what she had done wrong and told Revella that she was uncertain whether he was a police officer. She told Revella that she had a friend in college who was pulled over by someone impersonating a police officer and was subsequently raped. When the female driver asked for identification, Revella flashed in her direction what she described as an "oblong copied document". (Trooper Cepeda described that Revella had some type of vehicle permit in his car.) The female driver remained in her car with the doors locked and called 911, seeking confirmation that Revella, who identified himself as a State Police Captain, was, in fact, a police officer. The transcript of her call demonstrates her fear, uncertainty and belief she was being harassed by someone she does not know is a law enforcement officer:

I'm on the Taconic State Parkway and I'm being harassed and now I have a person behind me who (inaudible) says he's a Captain of the State Police and I don't know if the badge is real. I don't know what's going on. I'm in my car with the doors locked . . .

I'm extremely scared (inaudible).

Somebody's harassing me, sir. For about five miles he was riding up on me, letting off[f], riding up...I did not think he was a police officer the way he was (inaudible).

The female driver's assertion that Revella identified himself as a Captain with the State Police is corroborated by Trooper Cepeda who was also told by Revella that he was a Captain with the State Police. In fact, Trooper Cepeda stated in his interview that when he arrived on the scene, Revella

came up to me and said, 'I'm the Captain. I'm with the Governor's Detail.' I asked him, 'Are you with the State Police?' And he mentioned, 'Yes, I am with the State Police, with the Governor's Detail.' He never mentioned that he was a Captain at ENCON, DEP.

When Trooper Cepeda arrived at the scene, he spoke with Revella and then with the female driver. Cepeda described her as “hysterical . . . extremely upset.” He calmed her down by reassuring her that Revella was a police officer.

Revella told Cepeda to issue the female driver two citations, one for speeding and one for unsafe lane change. He affirmed the tickets and departed, leaving Cepeda to issue the traffic citations and complete the traffic stop.

At the conclusion of her interview in this investigation, the female driver said:

I think he [Revella] should know as a Captain that his behavior is odd and that he shouldn't expect me to be forthcoming with my identification in this day and age following me dangerously in an unmarked vehicle with black tinted windows, un-uniformed in a T-shirt and jeans, with a gun.

B. Interview of Revella

When interviewed during this investigation, Revella said he activated the lights and siren on the Tahoe after the female's vehicle cut him off while he was driving in the left lane of the parkway.

During his interview, Revella made a number of admissions and statements that reflect upon his dangerous conduct during this incident.

- He acknowledged being aware of the prohibition against using unmarked police vehicles for routine traffic stops, but claimed that the female's “reckless” driving fit within the exception to that rule. (Note: The Governor's Executive Order allows action by a law enforcement officer operating an unmarked vehicle when there is a “substantial threat to public safety.” The aforementioned DEC Manual, which governed Revella's conduct, requires that *two* conditions exist before a DEC officer exercises police authority off-duty. First, an emergency situation. Second, that the off-duty officer can utilize his/ her police authority “in a manner that does not unreasonably increase the danger to the Member or the public given the circumstances.”
- He pursued the female driver for “four to five miles”, but acknowledged that he did not notify other law enforcement officials of his pursuit until he saw Trooper Cepeda conducting his own traffic stop at the side of the road.
- He had no explanation for his violation of the prohibition, set forth in the aforementioned DEC Manual, against using Tahoe vehicles for pursuit driving.

- Notwithstanding the explicit provision in the letter agreement between OHS and DEC regarding rules governing his conduct during his temporary duty assignment with OHS, Revella claimed that because he had turned in his DEC manuals when he began his OHS assignment, DEC policies did not apply to his actions when he stopped the female driver.
- Tellingly, when asked why he had not notified law enforcement authorities before stopping the female driver, he responded, “Because I normally do that once I stop someone.”
- Revella acknowledged that he had never informed Trooper Cepeda that he was a Captain with the DEC, but rather had told him, “I’m a Captain with the State. I’m working for the Governor’s Office, the Governor’s Detail.” Asked specifically whether he had identified himself to Trooper Cepeda as a State Police Captain, Revella responded, “No. I said, ‘I’m a Captain with the Governor’s Detail.’”
- Asked whether there were any law enforcement responsibilities in his OHS assignment, Revella said “Providing dignitary protection.” Asked whether there were any others law enforcement duties, he replied, “Not that I can recall.”

V. THE AUGUST 12, 2006 INCIDENT

A. Incident Begins on Interstate-84

Two days after the August 10 incident on the Taconic State Parkway, Revella was involved in another traffic stop with a female driver. However this traffic stop escalated into an incident whereby, in addition to the driver receiving a summons, two of the driver’s friends – New York Army National Guardsmen in the area on maneuvers – were placed under arrest after arriving on the scene in response to the driver’s call for help.

At approximately 10:30 p.m. on August 12, 2006, Revella was a passenger in a personally-owned vehicle being driven by State Police Zone Sergeant Christine Revella. Revella and Sgt. Revella were traveling from a social occasion and were attired in shorts and T-shirts or tank tops. When interviewed during this investigation, both admitted that they had consumed alcoholic beverages at the social event. In fact, Revella stated in his interview that, at the time of the incident, he was under the influence of alcohol and was not sober.

While traveling east on I-84 near the Newburgh-Beacon Bridge, Revella and Sgt. Revella became involved with a vehicle being driven by a female. A female passenger was also in the vehicle.

Revella’s description of the incident is in conflict with the version provided by the two females in the vehicle. Similar to the August 10 incident on the Taconic State Parkway, Revella’s description is inherently inconsistent and contradicted by independent

witnesses who corroborate versions of the events provided by the two females and their friends.

1. How the Incident Began as Described by the Females in the Vehicle

The female driver told investigators that near exit 7 on I-84,

I came up on a black Alero in the left lane. He moved to the right and I passed him at about 70 miles per hour. He then got behind me in the left lane. There were 2 cars in front of me. The Alero flashed the lights and then left them on high beam for about a minute. I adjusted my mirrors. As we approached the bridge, I stayed in the left lane through the cash lane. I was doing about 70-75 across the bridge in the left lane. The Alero maintained a position in the right lane, a little ahead of me.

The female passenger described the events:

We were in the left lane behind two cars with a car on our right so we couldn't go anywhere. There was a car behind us flashing the brights. I said to [the driver], "where do they want us to go" because we were blocked in. They flashed 3 or 4 times. When we could move to the right so they could pass, they proceeded to follow us, now in the right lane. We got nervous. [The driver] sped up to get away.

2. How the Incident Began as Described by the Revellas

When interviewed during this investigation, both Revella and Sgt. Revella stated that Revella was sleeping in the front passenger seat when Sgt. Revella noticed a vehicle coming up behind their vehicle at a high rate of speed. Revella said this occurred at approximately 10:30 p.m. near exit 7, "when we entered Interstate 84."

Revella claimed that the car was going in excess of 120 mph. State Police Trooper Chaderick Greer, whose statement is further discussed below, said that when he spoke with Revella on the night of the incident, Revella told him that,

they got into a "road rage" incident with the female driver and they followed her at a high rate of speed. I was told by Captain Revella that speeds (sic), that she was driving 120 mph on 84.

Revella, when asked how he knew the other vehicle was speeding, responded,

I personally, due to personal observations, I estimated the speed. We were doing about 60 – 65 and it came up. We were in the right lane and it pushed us over into the shoulder by Exit 10 and went ahead and that became then the center lane on the Bridge. And we were doing about 60 – 65 miles an hour when it came around us.

Revella's assertion that the car was traveling at 120 mph is directly contradicted by Sgt. Revella who stated that after she moved to the right, the vehicle passed her "at an extremely high rate of speed." Yet in response to the next question, "after that did you pass that vehicle?" she said "yes, I did," and told investigators that, when she passed the other vehicle, her speed was "probably 55 or 60", which is half the speed that Revella claims the car was moving.

3. At the Toll Booths

When the two vehicles were at the bridge toll booths, the female driver told investigators that "as I was paying I could see the Alero pull up and stop diagonally after the toll. A white male in shorts and a tank top got out making hand gestures and yelling as he was approaching my car. I was frightened and pulled away from the toll." The female driver admitted to giving the man the "middle finger".

The female passenger described Revella's conduct similarly:

They pulled to the median. After we went through the toll I saw a black Alero with a white male standing outside it. He was flailing his hands, yelling with an angry face. [The driver] made a comment like what the hell is this guy doing and put her hand up. I didn't actually see her flip him the bird, she just told me later that she did. We continued east on I-84. The black Alero continued to follow us. [The driver] got more nervous and sped up to get away.

After the female drove away from the toll area, Revella returned to his vehicle, and Sgt. Revella then followed the other car.

Both Sgt Revella and Revella claimed that Revella got out of the car to pull the other car over. They claim that Revella was holding his badge in his hand, however neither the female passenger nor the passenger recalled seeing any identification. Despite the fact that Sgt. Revella claimed that it was Revella's intention "to call for assistance from another uniform police agency" if he had been successful in pulling the vehicle over, neither Revella nor Sgt. Revella attempted to inform any officials at the bridge of the matter either to seek assistance or to report on the female's alleged reckless driving. Instead, Revella returned to the Sgt. Revella's vehicle and they continued to follow the other vehicle.

4. After the Toll Booths

The female driver did not see the Alero for a few moments after leaving the toll booths, then:

all of a sudden the Alero pulled up along side of me in the left lane. The white male passenger appeared to be yelling at me. I slowed down. The white male passenger leaned into the back and pulled what appeared to be a jacket or a sweater from the back to the front seat. I got really scared.

The female driver exited I-84 abruptly without signaling near Fishkill at exit 13, in an attempt to preclude the Revellas from following. The total distance from the bridge toll plaza to the exit is less than five miles. Sgt. Revella told investigators that she was driving 55-60 mph, yet stayed slightly in front of the other vehicle, “because I didn’t want to give the appearance that we would follow it”. Revella’s assertion that the other car was traveling at over 120 mph thus contradicts Sgt. Revella’s statement regarding the Revellas’ speed. Revella’s claim of 120 mph also contradicts the female’s assertion that she was traveling at 70-75 mph.

The female passenger described these events as follows:

We approached our exit (13) going slow, I told her not to use her signal and cut the wheel and get off the exit at the last second. They were to the left of us and about two car lengths ahead braking. We got off the Fishkill exit (13) and the Alero cut to the right and across the pavement marking.

The female driver then called 911, telling the operator “there’s a guy following me and he’s like really violent. I don’t know what the hell is going on.” She admits to the 911 operator that she is driving through red lights “because I don’t know what he’s doing”. She also called a girlfriend at the hotel where she was meeting her friends and asked them to meet her in the parking lot. Her girlfriend described receiving the call:

I was at the Extended Stay Hotel in Fishkill awaiting the arrival of my friend [the female driver]. At approximately 10:41 PM I received a phone call from my friend [the female driver] who was hysterical that two men were chasing her. She asked me to come downstairs with the guys

The Revellas, also driving through the traffic signals, followed. Revella called 911, identified himself as a “Captain with the State”, and requested that officers of the Fishkill Police Department be sent to the hotel parking lot, into which the female had now driven. In this 911 call, Revella again claimed that the female was driving 120 mph.

In addition to his call to 911, Revella called the cell phone of a State Trooper with whom he was acquainted. The Trooper advised that he would inform the State Police of the incident.

B. The Hotel Parking Lot

In response to the female driver's earlier telephone call, the driver's girlfriend and her male companion (hereafter "Male 1") were waiting in the parking lot when the car arrived. Subsequently, another male friend (hereafter "Male 2") came from the hotel into the parking lot. The two males are members of the New York Army National Guard. The female driver's girlfriend described the scene:

We waited in the parking lot for her and about one minute later she came flying down the road and pulled into the parking lot. I saw the black Alero right behind her. [The female driver] jumped out, left the door open and the car running and ran over to us. The Alero stopped directly behind her. A white male in a blue tank top, shorts and flip flops got out of the passenger side, walked toward us ranting and raving about her driving.

According to the Revellas, Revella immediately identified himself as a police captain and was attempting to explain to the female driver that she was going to be arrested for Reckless Driving right after law enforcement arrived. Revella claimed that, as he was talking to the female driver, Male 1 "would not step away" when Revella had directed him to do so and "kept invading my space by trying to crowd me against the car." Revella claimed that he told Male 1 numerous times to "back off" but he would not comply and instead made comments to the effect that he was a soldier and he wasn't going to leave. It is this alleged conduct by Male 1 which formed the basis of Revella's insistence that he be arrested for disorderly conduct.

However, the testimony of the State Troopers arriving on the scene as well as the contemporaneous 911 call contradict the Revellas' assertions that Male 1 was acting in a belligerent manner, and, in fact, confirm that Revella was belligerent, had been drinking, and never adequately identified himself as a law enforcement officer to the civilians.

Independent witnesses confirmed Revella's admission that he had been drinking. In their subsequent statements to the State Police, Male 1 and Male 2 stated that Revella was intoxicated, while the female driver's girlfriend said that Revella appeared to have been drinking. A National Guard supervisor of Male 1 and Male 2 who had also come on the scene from the hotel said that Revella admitted to him in the State Police barracks that he had been drinking. These statements are confirmed by the testimony of at least three of the State Troopers, Dawn Melfi, Scott McMahan and Anthony Mordecki, who each stated they had smelled alcohol on Revella in the hotel parking lot.

A number of independent witnesses, including State Troopers who arrived on the scene, confirmed that the civilians were respectful while Revella was loud and belligerent. For example, asked whether the civilians were hostile, aggressive or belligerent, Trooper Chaderick Greer responded, “not at all...they answered with ‘no sir’ and ‘yes sir’ the whole entire night.” In contrast, Trooper Greer said that Revella was “really agitated, extremely agitated . . . he used curse words at the time and [was] very excited.” When asked about Revella’s tone of voice, Trooper Greer said Revella was “very loud” and “was belligerent.”

Whereas the Revellas claimed that Revella properly identified himself as a “Captain for the State”, the female driver, her girlfriend, and Male 1 all stated that Revella quickly flashed some kind of wallet, however none of them could see it well enough to confirm that Revella was a “Captain”, which is all they say he claimed to be. Revella ignored Male 1’s repeated requests that he properly identify himself. The civilians’ assertion that they did not know who Revella was is consistent with the statement by State Trooper Anthony Gentile, one of the first to arrive at the scene who stated:

They were very confused. Until I arrived in Fishkill I can truly say I don’t believe that they thought they [Revella and Sgt. Revella] were police officers. I was not there when they [Revella and Sgt. Revella] identified themselves though. I want to note that for the record.

The female driver had remained on the phone with 911 as she drove into the hotel parking lot and immediately handed the phone to Male 1 when she jumped out of her vehicle. At the same time that the Revellas claimed Male 1, in the words of Sgt. Revella, “was kind of backing us into the car”, Male 1 was still on the phone with 911. Both Revellas acknowledged that Male 1 was on the phone when the alleged “disorderly conduct” was occurring.

A review of a transcript of the tape recordings of the pertinent 911 calls, prepared for the OHS and provided to this Office, reveals that Male 1 made numerous attempts to get Revella to properly identify himself and, after Revella said to Male 1 that he was “in the military,” Male 1 then offered to show Revella his own military identification. In fact, as the female driver, her girlfriend, and Male 1 all stated, and as the 911 tape recording reflects, Male 1 at one point handed the phone to Revella to allow him to speak to the 911 operator, however Revella simply hung up. Despite the fact that Male 1 is holding the phone and trying to talk to the operator, Revella’s voice can be heard on the tape recording:

Male 1: Ok, speak to me.
Revella: No, I want to talk to her!

Dispatcher: Hello?
Male 1: Hello? We’ve got an officer here.

Dispatcher: Okay, where are you?
Male 1: Do (you) got ID?
Revella: No, you're not involved.

Male 1: You guys are drunk
Revella: I'm involved now. I'm in the military.
Dispatcher: Sir?
Male 1: I'm in the military too.
Revella: You're in the military?
Dispatcher: Sir?
Male 1: I am in the military – do you want me to show you?
Dispatcher: Sir?
Male 1: You better stop doing that – you look like you're intoxicated.
Revella: I'm intoxicated?
Male 1: I won't. You're intoxicated.
Female Driver: Tell him to get away from me.
Male 1: We've got on an officer here – he says he's a Captain.
Dispatcher: Put the officer on the phone.
Male 1: All right, the officer wants to, you know, speak to you.
Dispatcher: Put him on the phone. Put him on the phone.

After Male 1 hands Revella the phone and Revella hangs up, Male 1 calls back:

Male 1: We just called – we had a situation over here.
Dispatcher: Okay. Where is it?
Male 1: There's a Commander and...
Dispatcher: Okay.
Male 1: He's a Captain. I didn't do nothing.
Dispatcher: Sir, Sir, Sir.
Male 1: I'll get arrested – for what?
Dispatcher: Hello, Sir?
Male 1: You guys are drunk – I'm calling 911.
Dispatcher: Sir?
Male 1: Can't you hear the conversation?
Dispatcher: Sir?
Male 1: I'm calling 911. I'm trying to do the right thing.
Revella: I told you once. I'm not going to tell you twice.
Male 1: I'm getting arrested?
Dispatcher: Sir? Sir?
Male 1: I didn't do nothing. Yes, Sir.

While these events were occurring, Male 2 approached the female driver's car, which was idling with the door open and the lights on, for the purpose of shutting off the engine. Male 2 described, in his written statement to the State Police, what happened as he approached the vehicle:

As I approached the vehicle, Captain Revella got in my face and said, “get the fuck out of here.” I told him I was just trying to turn the car off and he said you need to get out of here. I said who are you. He said you don’t need to know who I am, just get the fuck out of here. As he is telling me this, he was intimidating me with his body. I felt like he was trying to start a fight with me. Then he slammed the door shut.

Male 2 then left and went back up to the hotel room to get his National Guard supervisor who is also a Lieutenant in the New York State Department of Correctional Services.

Revella, in his written statement, admitted that he heard the female driver ask Male 2 to attend to her car. He claimed that Male 2 then tried to “push me out of the way”, an action not corroborated by Sgt. Revella. He told Male 2 that the car was not to be moved until the Troopers arrived. Revella then wrote:

Several police officers arrived from the T/Fishkill PD and the State Police. I told them that [the female driver] was under arrest for Reckless Driving and [Male 1] for Disorderly Conduct. One trooper took [the female driver] aside, and another placed [Male 1] in handcuffs. [Male 2] attempted to interfere with the arrest of [Male 1]. I told him to walk away. He goes, “That’s my squad leader. He goes, I go.” [Male 2] was also placed in handcuffs.

Despite the fact that Revella, in his written statement, described that Male 2’s alleged interference with Male 1’s arrest occurred in the presence of other officers who were on the scene, not a single one of those officers – nine State Troopers and three Fishkill Police Officers – described witnessing this incident in their interviews during this investigation.

It appears that during this entire incident, Sgt. Revella did little more than stand on the sidelines and watch. In the words of the female passenger:

I walked up to the wife, yelling if you are Troopers how are we supposed to know that, in an unmarked car, off duty, not showing your badge until now. She said you shouldn’t have been driving reckless, and didn’t say anything else. She didn’t really say anything the whole time. She didn’t do anything to escalate the situation, but didn’t do anything to diffuse it either. She never identified herself.

And as Male 1 described:

I did not hear the female driver of the black car say anything during the whole encounter nor did she ever identify herself as a member of the State Police. She was not the problem, her husband was.

Trooper Anthony Greer, in describing Sgt. Revella's behavior, said:

She was silent and didn't say a word. She stood there with her arms crossed and just watched.

This is confirmed by Trooper Dawn Melfi who said:

She didn't say anything when I first approached. I mainly was talking to Captain Revella. She stood over by the car, by the driver's side with the door open. She didn't say anything to me.

C. The State Police Barracks

The Troopers, the Revellas, and the civilians then traveled to a nearby State Police barracks, where charges were lodged against the female driver, Male 1, and Male 2.

According to State Police Zone Sergeant James Sweeney, after speaking to the female driver, he decided that Reckless Driving charges were not warranted, due to what he credited as her honest belief that she did not know she was being followed by a police officer. Sgt. Sweeney then informed Revella that the female driver could only be issued a summons for Disorderly Conduct.

Once in the barracks, Revella made several extremely improper and unprofessional remarks which were witnessed by the civilians and the State Troopers who were present. For example, one of the remarks that Revella addressed to the two males under arrest made reference to his wife's anatomy.

During their interviews conducted as part of this investigation, both Revella and Sgt. Revella denied that Revella made improper and unprofessional remarks. In fact, when asked specifically whether he made any sexual remarks, comments, words or inferences relating to his wife's anatomy, Revella said no.

VI. CONCLUSION

The evidence developed during this investigation establishes that in two separate incidents, Revella misused his law enforcement powers, violated DEC rules and regulations, jeopardized the safety of others, and was responsible for the unjustified arrest of several persons. The evidence further establishes that during this inquiry Revella either deliberately lied to investigators or demonstrated a lack of recall that cannot be credited.

Standing alone, Revella's actions in these incidents would warrant severe punishment. However, evaluating Revella's recent behavior in light of his prior acts of misconduct and poor judgment, discussed in this report, leads this Office to conclude that he should be terminated from State service. We referred this conclusion to DEC, and Revella subsequently resigned.

This Office also referred the results of this investigation to the New York State Attorney General's Office for a determination regarding whether criminal charges should be brought against Revella. The Attorney General's Office is also seeking to determine if there are additional individuals who may have been involved in similar incidents with Revella. Anyone who may have information is asked to contact Investigator Royal Remington at (845) 485-3903.

The conduct of Sgt. Revella is under review by the State Police.