

# HAMPTON FALLS POLICE DEPARTMENT

Page **1**

Case No. **12-000155-OF**

Beat  
**AM**

Rpt Dist

Type: **Non Criminal Investigation**

Seq: **1**

Crime / Incident (Primary, Secondary, Tertiary)

**Non-Criminal Non-Criminal to Generate Incident Report**

Attempt  
☐  
☐  
☐

Occurred

Date

Time

Day

On or From **08/14/2012**
**Tue**

To **09/04/2012**
**Tue**

Reported **09/06/2012**
**12:30**
**Thu**

Location of Incident **340 EXETER RD, HAMPTON FALLS, NH**

Cross Street **EXETER FALLS ROAD**

County

**ROCK**

Dispo "V" = Victim "RP" = Reporting Party "W" = Witness "S" = Suspect "O" = Other

<b>V</b>	Last, First, Middle (Firm if Business) <b>BIRDSALL, DAVID</b>	Race <b>W</b>	Sex <b>M</b>	Age <b>0</b>	HT <b>0</b>	WT <b>0</b>	Hair	Eyes	Home Phone [REDACTED]
Address [REDACTED]		DOB [REDACTED]		DL Number [REDACTED]			State <b>NH</b>		Work Phone [REDACTED]
City, State, Zip Code [REDACTED]		SSN [REDACTED]		Local ID # [REDACTED]		State # [REDACTED]		FBI # [REDACTED]	Cell Phone [REDACTED]
<b>O</b>	Last, First, Middle (Firm if Business) <b>LOVASCO, MELISSA L</b>	Race [REDACTED]	Sex [REDACTED]	Age <b>0</b>	HT [REDACTED]	WT [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]	Home Phone [REDACTED]
Address [REDACTED]		DOB [REDACTED]		DL Number [REDACTED]			State [REDACTED]		Work Phone <b>0</b>
City, State, Zip Code [REDACTED]		SSN [REDACTED]		Local ID # [REDACTED]		State # [REDACTED]		FBI # [REDACTED]	Cell Phone [REDACTED]
<b>O</b>	Last, First, Middle (Firm if Business) <b>PAPOWS, JEFF</b>	Race [REDACTED]	Sex [REDACTED]	Age [REDACTED]	HT <b>0</b>	WT <b>0</b>	Hair [REDACTED]	Eyes [REDACTED]	Home Phone [REDACTED]
Address [REDACTED]		DOB [REDACTED]		DL Number [REDACTED]			State [REDACTED]		Work Phone <b>0</b>
City, State, Zip Code [REDACTED]		SSN [REDACTED]		Local ID # [REDACTED]		State # [REDACTED]		FBI # [REDACTED]	Cell Phone <b>0</b>
<b>O</b>	Last, First, Middle (Firm if Business) <b>LEVESQUE, RANDALL</b>	Race [REDACTED]	Sex [REDACTED]	Age [REDACTED]	HT <b>0</b>	WT <b>0</b>	Hair [REDACTED]	Eyes [REDACTED]	Home Phone [REDACTED]
Address [REDACTED]		DOB [REDACTED]		DL Number [REDACTED]			State [REDACTED]		Work Phone <b>(603)</b>
City, State, Zip Code [REDACTED]		SSN [REDACTED]		Local ID # [REDACTED]		State # [REDACTED]		FBI # [REDACTED]	Cell Phone <b>0</b>

Synopsis :

Continuation Attached : <input type="checkbox"/> UCR : <b>9999</b> Gang Related : <b>N</b> Pursuit : <input type="checkbox"/>	PropertyList Attached : <input type="checkbox"/> Press Release : <input type="checkbox"/> Hate Crime : <input type="checkbox"/> Force Used : <input type="checkbox"/>	Domestic Violence Case : <input type="checkbox"/> Victim Senior Citizen : <input type="checkbox"/> Child Abuse : <input type="checkbox"/>	
	County Code : Disposition : <b>SUSP</b>		
	Connecting Case #		
	CAD/CFS Event # <b>12000261</b>		
	Assigned To : <b>Chief Dirs</b> Date : <b>//</b>		
	Officer ID : <b>Chief Dirs</b>	Reviewed By :	Approved :
	<b>RD010</b>	Date : <b>//</b>	





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On 8-3-2012 at 0910hrs Mellissa Lovasco's father walked in to ask questions about past tense theft of equipment by the landlord. He did not want a report and was advised of the civil and criminal process by Lt. Boynton.

On 8-12-2012 the Jumper Classic horseshow ends for the year in Hampton Falls.

On 8-14-2012 at 1450hrs I received a report of people stealing horse equipment within the last two days. The allegations were made by horse owner Jeffrey Papow against Jumper Classic President Mellissa Lovasco that she was stealing his jumps and related equipment. The value is estimated to be about \$4000 See incident 12-000137.

On 8-14-2012 at 2003hours the property patrol agreement was faxed to Mellissa Lovasco by Officer Rathman.

On 08-15-2012 at 1123hrs the Jumper Classic organizer was reporting the theft of items. This report was made at Hampton Falls PD with Susan Chavez vice president of Marketing for the Jumper classic present. Mellissa Lovasco reports that horse items have been stolen from her storage containers. She alleges these items were taken in April and discovered in missing in July when the locks were discovered changed. She says she reported the theft to David Birdsall and Jeffrey Papow but not the police. She also alleges that Jeffrey Papow was changing items marked JC for Jumper Classic to JP for Jeffrey Papow. She provided me some varied paperwork including emails, copies of checks and the contract. I also served the property patrol agreement to Lovasco in hand at this meeting. See Incident 12-000147

On 08-15-2012 at 1341hrs I met with David Birdsall, the landowner and Melissa Lovasco, Jumper Classic President, to facilitate orderly property removal. I wanted to facilitate a smooth exit for the Jumper Classic from the property. I also wanted to make sure Birdsall and Lovasco were both in agreement with what was going to be removed and when. Lovasco and Birdsall agreed on the property to be removed. Lovasco said it would be removed starting Friday 8-17-12 and would be completely removed by Monday 8-20-12. This was acceptable to Birdsall. I reminded Lovasco to just let Birdsall know when they were coming so he or a representative would be there. She agreed to this. This is also what was in the property patrol agreement served to her on 8-14-12 by fax and on 8-15-12 in hand. She also showed me where she said the rails were stacked that Papow said were missing. There were less rails there than Papow had reported missing. I also took several photos. One of the photos showed rails with JP on them with her in the photo and she agreed these rails were not hers and hadn't been tampered with.

On 08-16-2012 at 0930hrs Jumper Classic sponsor Randall Levesque of Great American Insurance in Rhode Island reported his items were potentially stolen. Levesque is reporting that multiple horse jumps are missing to include rails, standards, cups, pins, boxes and planks. He says most of his items have great American Insurance or Insurance Services on them. He also described standards that looked like a cupola with a copper top. He estimates the total value to be around \$14,000. See incident 12-000152

On 8-17-2012 at 1315hrs David Birdsall called to ask Lt. Boynton questions about

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getting to what he believes is stolen property inside the trailers. He was advised that we could not make entry without a search warrant and that we did not have enough information to support one at this time.

On 8-26-2012 David Birdsall had questions about the ongoing case. Officer Sanders referred him to the Chief Monday morning as he was no familiar with the details of the case.

On 08-27-2012 at 0827hrs David Birdsall reports that a tractor trailer box had been left on his property sometime over the weekend. He told me the property of Jumper Classic was still on his land. He told me there was an additional trailer on his land now that he hadn't authorized. He said that Jumper Classic is now past the time in the contract. I told him he needed to call his lawyer because I didn't deal with the contract issues.

On 08-27-12 at 0922hrs Jumper Classic President Mellissa Lovasco called to advise workers would arrive on the property soon. Lovasco advised she was sending workers to load the trailer at Silver Oaks with the items that were still outside in her fenced in area including the fence. She said she could not get in touch with Birdsall. She was yelling at me and telling me I had no right to keep them off the property and that was her property and she could take it. She told me Birdsall and Papow were crazy and she had fired Papow from being chairman of the show. She told me I didn't know what I was doing because this was a civil matter and everyone knew that. I had to speak sternly to get her to stop and listen. I told her that I would try to facilitate her workers getting on the property because I had talked to David Birdsall and he wanted the property gone too. She told me that if they didn't do it today they couldn't do it for another month because of people's schedules and their days off. I asked her why everything wasn't moved already as I thought it was supposed to be gone by August 20. She said that she just hadn't been able to get everything in order to do it because it was a big job. I also asked her if she could leave Randall Levesque's property at Silver Oaks. She said he had one jump he owned and she would leave it. I told her I thought there were more like three or four. She said she owned those he only owned one and she would leave it. I finished the call and went directly to Silver Oaks to try to have Birdsall let the workers on the property so they could load the Jumper Classic property.

On 8-27-2012 at 0934hrs I went to speak to David Birdsall at Silver Oaks and he told me he had just sent a Range Rover with several men away just a short time ago. I explained to him that Melissa Lovasco had just called and wanted me to let him know that she was sending some men to load the trailer to get ready to move stuff out. He wanted to know if they were removing things today. I told him that I didn't think anyone was moving anything today just loading. He said they could come on the property to load the trailer. A few minutes later several men in a range rover showed up and I explained they were free to stay as I had spoken to Lovasco and Birdsall and they were in agreement. While I was there another man showed up and Birdsall knew him as Ray's son and he was fine with him staying and loading the trailer. While I was there I had also spoken to the men about Lovasco saying the property of Randall Levesque that he reported stolen could be left. I

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## Narrative Report

could see the cupola looking items with the copper tops and photographed them. I could see no other items like Levesque had described in plain view. Then during the discussion with the men Lovasco called her men and said the items were to be removed in direct contradiction to what she just told me on the phone. Ultimately after two more conversations with Randall Levesque he told me that he and Lovasco had agreed to let her take them and he would pick them up later. At this point I left.

8-27-2012 1118hrs (Approx) I spoke to Attorney Alan Rose of Boston who represents Jeffrey Papow on his reported theft case.

On 08-27-2012 at 1350hrs David Birdsall came in to provide an update in the ongoing dispute. Birdsall advised he had spoken to his attorney and his attorney was advising him not to allow Jumper Classic employees to take any items off the property. He also gave me an unsigned copy of the contract. He said he was going to be enforcing the contract. I advised him any enforcement of the contract was up to the lawyers. He wanted to know if he should let them finish securing the property in the box trailer. I told him it was up to him but in my opinion it would be better if Jumper classic employees finished securing their own items the way they wanted to. This would help prevent later damage or theft.

On 8-27-2012 1450hrs I received a signed copy of the contract from Attorney Paul Marino of Westwood Mass

On 08-27-2012 at 1559hrs I was notified by dispatch that the property owner David Birdsall wants subjects removed from his property and they are not leaving. I arrived with officer Rathman and found David Birdsall speaking with the male subjects from earlier today. Ray's son had Mellissa on the phone and she wanted to talk to me right then. I refused until I got things sorted out. They had loaded the box trailer and were preparing to leave. Rays son had a ticket house on the trailer. Birdsall told them they had to leave and he didn't want them to take the ticket house and trailer. I told them that was his wishes. Lovasco called dispatch and was very upset because I refused to talk to her. She told dispatch that the police department and I were corrupt. I made sure the workers had locked up everything and photographed the locked trailers and area while Ray's son checked each lock. The workers finished getting ready to go and left without further incident. I advised dispatch I would call her when I was clear. I spoke to Birdsall about posting his property and either chaining or putting a barrier to prevent people from going down in to the area. Because so far the people the police department removed were workers that had no idea of the ongoing issue and didn't know they weren't supposed to be there. He said he would go get some signs at Home Depot and post to help keep people out. I also spoke to him about other security measures for his farm.

8-27-2012 at 1600hrs Caller wants unwanted persons on the property removed. Ongoing civil issue, Chief Dirsra handled. This is Officer Rathman's version of the 8-27-2012 1559hrs call.

On 08-27-2012 1700hrs (The time is approximate) I returned a call to Melissa Lovasco based on her request. She immediately started yelling and threatening me

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with her lawyer and calling channel 9 and all the newspapers. She said that channel 9 would be at my station momentarily because she had already called them. She was telling me I didn't know what I was doing since she had talked to her uncle who was a police officer in Massachusetts. She told me that Birdsall and I had an inappropriate relationship and that is why I was doing this. She told me that a property patrol agreement wasn't worth the paper it was written on. She told me she was going to conference me in with her lawyer. I said no Mellissa. I realized she wasn't there said goodbye and hung up.

On 8-27-2012 1726hrs I asked Officer Rathman to return a call to Mellissa Lovasco who was very mad that I had hung up on her. She had called dispatch back. She wanted to know who my supervisor was so she could make a complaint.

8-27-2012 1759hrs Email sent with attachment from Thomas Donovan, Mellissa Lovasco's attorney. It was received by this office at approximately 0830 on 8-27-2012.

8-28-12 at 0955hrs Lt Boynton and I went to 340 Exeter road to see if David Birdsall had followed my advice and put the no trespassing signs up to warn people not to trespass. The trailers from horse show were still present. No chain or "no trespassing" signs were present.

8-28-12 at 1024hrs Report of subject trespassing on property, and attempting to remove a trailer. Stand by while property owner has subject leave. Richardson Trucking, David G. Ryan. He leaves with no issues. Lt. Boynton and I spoke further to Birdsall and Papow who was also present about posting the property and suggested a private security firm to patrol the grounds while this problem was going on. Birdsall said they were in process of posting the property when they saw the truck. He showed me the signs he had purchased in the back of his truck. I also advised them of the need to get the attorneys involved because that is where it belonged. Pawpows said his attorney had tried to speak with Lovasco to find out who her attorney was and had been told to go to hell. Birdsall said he had his attorney involved already.

On 8-28-12 1121hrs in an effort to try to get the attorneys talking so this matter could be resolved I provided Lovasco's attorneys name and contact information to Birdsall and he will provide it to Papow as well. I provided them with the attorney, Thomas Donovan, who had sent me the letter.

On 8-28-2012 1330 (approx.) Melissa Lovasco calls the town office to report that Lt Boynton and I had drawn our weapons on her and her workers. I spoke to the selectmen about this incident. The incident where Lt Boynton and I responded was on 8-28-2012 at 1024 and no such event happened. No level of force was ever needed or used. Mellissa Lovasco was not on site at that time and had not been there in my presence since 8-15-2012 at 1341hrs.

On 8-28-12 1426 I spoke to the County Attorney's office to bring them up to speed on this incident.

On 8-28-2012 1458hrs Mellissa Lovasco called the office, but I did not return the call.

On 8-28-2012 at 1530hrs I had left a message for town counsel.

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## Narrative Report

On 8-29-12 1000hrs approx. I spoke to town counsel about this incident.

On 8-29-2012 at 1208 I went to see David Birdsall at 356 Exeter Road to get an update about his property issues. He was not there. While there I saw Amy Covenor from channel 9 with her camera man. While talking with them I received a call from my office that David Birdsall had called and wanted channel 9 removed from his property. I advised them of this and they complied. I actually removed them from 356 Exeter Road. I answered their questions off the property. There was a news story on this on 8-29-12 on the 1730 news.

On 8-29-2012 at 1526 a fax came in from Steven Dutton with lawsuit filed on Lovascos behalf. A court order was also entered prohibiting anything being done with the property in question. Received mailed copy 9-4-2012.

On 9-4-2012 I received an anonymous internet article on Jeffrey Papow with a sticker saying this is the type of people you are dealing with at Liberty Farm LLC.

On 09-04-2012 at 1141hrs came to the station David Birdsall to request a copy of the report. I advised him since I had handled most of the calls myself and there were some other issues going on the report would not be ready this week.

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Approved:

Date:

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