



Easthampton Police Department
Incident Report

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08/04/2014

Incident #: 13-384-OF
Call #: 13-13033

Date/Time Reported: 11/19/2013 0712
Report Date/Time: 11/19/2013 0919
Status: Incident Closed
Reason Closed: No more leads

Involves: Sex Crimes, Juveniles
Reporting Officer: Detective/Sergeant Mark Popielarczyk
Approving Officer: Detective/Sergeant Mark Popielarczyk

Signature: _____

Signature: _____

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	SYMINGTON, TIMOTHY D 140 MAIN ST WILBRAHAM MA 01095	M	W	45	011-62-5952	

Military Active Duty: N
BODY: NOT AVAIL.
DOB: 12/18/1967
LICENSE NUMBER: NOT AVAIL.

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Government/Public Building EASTHAMPTON PUBLIC SAFETY COMPLEX 32 PAYSON AVE EASTHAMPTON MA 01027		Zone: Down Town Area
1	INDECENT ASB ON CHILD UNDER 14 265/13B/A 265 13B OCCURRED: 11/19/2013 0712	N	Felony

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	SILVERNAIL, CONNOR P 245 NORTHWEST ST WESTHAMPTON MA 01027 DOB: 06/08/1994 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: SYMINGTON TIMOTHY	M	W	19		
				Child		

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	SILVERNAIL, CHERYL R 245 NORTHWEST RD WESTHAMPTON MA 01027 DOB: 02/11/1968	PARENT	F	W	45		
2	SILVERNAIL, PAUL J 245 NORTHWEST RD WESTHAMPTON MA 01027 DOB: 03/28/1961	PARENT	M	W	52		

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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
3	SYMINGTON, JADE 245 NORTHWEST RD WESTHAMPTON MA 01027 DOB: 03/06/1998	OTHER	F	W	15	NOT AVAIL	

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	CD INTERVIEW OF CHERYL SILVERNAIL QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 12/30/2013 OWNER: SILVERNAIL, CHERYL R	13-347-PR	Evidence (Not Nibrs Reportable)
2	CD INTERVIEW OF PAUL SILVERNAIL QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 12/30/2013 OWNER: SILVERNAIL, PAUL J	13-348-PR	Evidence (Not Nibrs Reportable)
3	DVD INTERVIEW OF TIM SYMINGTON QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 01/11/2014 OWNER: SYMINGTON, TIMOTHY D	14-3-PR	Evidence (Not Nibrs Reportable)
4	DVD SAIN INTERVIEW OF CONNOR SILVERNAIL QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 02/27/2014 OWNER: SILVERNAIL, CONNOR P	14-52-PR	Evidence (Not Nibrs Reportable)

On Monday November 18th 2013, I received a phone call from Det. Corey Robinson of the Northampton Police Dept.

Det. Robinson informed me of the following:

That he had received a phone call today from an attorney who represents a 19 year old male, Connor Silvernail who currently resides in Southampton. She is alleging her client was sexually assaulted over a period of several years with it ending approximately ten years ago. The alleged perpetrator is his biological father Timothy Symington. The victim has Aspergers but is high functioning according to the attorney. The alleged assaults took place in Florence, Easthampton, and Holyoke.

Det. Robinson also informed me that his department has a report on file from April 20, 2003 regarding Symington's five year old daughter that he believed was involved some inappropriate kissing of another five year old child. The case was closed out. It was investigated by Jody Kasper.

Det. Robinson also notified ADA Pisano of the Child Abuse Unit/CAU.

On Thursday December 5th 2013, Detective Scribner, and I along with Detective Robinson, and Detective Briggs from the Northampton Police Department conducting a short interview with the alleged victim Connor Silvernail. This meeting took place at the Northampton Police Department. Connor is currently 19 years old and he made some brief disclosures and being sexually assaulted by his father Timothy Symington.

On Friday December 20th 2013, Det. Robinson and I conducted audio interviews with Cheryl and Paul Silvernail at the Northampton Police Dept. Cheryl is the biological mother of Connor, and Paul is the step dad on Connor.

See attached CD audio interviews of Cheryl and Paul Silvernail.

On Friday 1/3/14 Det. Robinson and I met with Cheryl Silvernail at the Easthampton Police Dept. At that time Cheryl provided us additional documents.

See attached documents.

SAIN Interview:

On Friday 01/10/14 A SAIN interview was conducting on Connor Silvernail. The following is a summary of that SAIN interview.

Connor stated he currently lives in Westhampton with his mother Cheryl, and his step dad Paul. Connor says he also lives with his sister Jade who is 15 years old, and his two brothers Peter (6 years), and James 3 years old.

Connor says his mother and dad/Timothy Symington had divorced when he was younger.

Connor recalls a time when he was around 5 or 6 years old, that his sister Jade and himself went over to visit his dad at his apartment in Easthampton (this address was later determined to be 75 Parsons St.). Conner reports he vaguely remembers that he was standing in his dad's bedroom. Connor says that his dad was wearing a T-shirt,

and boxers. Connor did not recall what he was wearing that night.

Connor continued to say that his dad had a erection and his dad made him touch his penis with his hand.

Connor does not recall if his sister Jade was in his dad's bedroom, when he was made to touch his dad's penis.

Connor disclosed that on another occasion when he was 7 or 8 years old, he was at his dad's apt. in Easthampton. Connor said that he was in his dad's upstairs bathroom, and he saw his dad step out of the shower with an erect penis. Connor then reports his dad saying to him that it was okay for him to touch his pubic hair. Connor said he then touched his dad's pubic hair. He described the area where he touched his dad's pubic hair as being near his dad's penis.

Connor also described occasions when his sister Jade and himself had spent over nights at his dad's house in Easthampton. Connor said that Jade, his dad, and himself would all sleep together in the same bed. Connor stated that his dad would wear a t-shirt and boxers, and he would just be in his underwear sometimes. Connor did not recall what Jade was wearing on these occasions.

Connor stated one time that his dad had taken photos of him in his underwear, when his dad was living in Easthampton.

See DVD SAIN interview for more detailed information on this SAIN interview.

Timothy Symington Interview:

On Saturday January 11th 2014, Timothy Symington came into the police station where an interview was conducted. Timothy was advised that this interview would be audio and video recorded. Timothy was read his miranda rights, which he stated he understood. I then had Timothy sign a Easthampton Police Department Miranda Warning Form, stating that he did understand his rights.

The following is a summary of that interview.

Timothy stated that he lived in an apartment at 75 Parsons St., in Easthampton MA. from 2000 to 2003.

Timothy was asked if Connor ever touched or did he ever ask Connor to ever touch his penis. Timothy stated no.

Timothy was asked why Connor would make this type allegation. Timothy said that Connor was being coached what to say by his step father Paul Silvermail.

Timothy told me that Connor had reported similar allegations against him years ago, and Holyoke Police had investigated these allegations. Timothy said to me that these allegations were later found to be unfounded.

Timothy was asked if Connor had ever touched him on his pubic hair area, when he had gotten out of the shower, on one occasion at his Easthampton apartment. Timothy told me No, "it never happened". Timothy did say that when the kids were over, he would leave the bathroom door open so he could hear or monitor the kids while he was in the shower. Timothy did say that it was possible one of the kids may have walked into the bathroom,

while he was getting out of shower, and saw him naked.

See attached Easthampton Police Department Miranda Warning Form.

See attached DVD interview of Timothy Symington.

An up to date report was also emailed over to the Child Abuse Unit (Heather Hubbard).

On 6/20/14 a round table discussion was done on the status of this case. At this meeting it was decided at this time that this case would not proceed.

Det. Sgt. Popielarczyk