



RUTLAND CITY POLICE DEPARTMENT
INTERNAL ADMINISTRATIVE INVESTIGATION REPORT

Case#: IA 23 – 02

Investigator: Commander Sam Delpha

Ebbighausen Crash

Introduction

This IA report was generated primarily as a critical incident administrative directed review due to the seriousness of the case where an on-duty Police Officer was killed in the line of duty. Officer Jessica Ebbighausen was killed as a result of injuries sustained from a motor vehicle crash while she was operating her department assigned police cruiser. Officer Ebbighausen had only been working for a few weeks since being hired on 5-25-23. Ebbighausen attended the Level I and II police officer training from June 5 – June 16, 2023. At the time she was killed, Officer Ebbighausen was under the direct supervision of her field training officer Corporal Richard Caravaggio. This was only her 5th working shift as a patrol officer. The motor vehicle crash happened during a motor vehicle pursuit that was initiated by Officer Jared Dumas, and was an active pursuit at the time of the crash.

Officer Jared Dumas, a 6 plus year veteran of RCPD, violated the Vehicle Pursuit & Emergency Vehicle Operation policy, more specifically, he violated several key points of this policy. Officer Dumas' direct actions that violated department policy, and lack of proper police techniques resulted in the suspect causing the crash that killed Officer Ebbighausen.

Corporal Richard Caravaggio, a 4 plus year veteran of RCPD, violated the Vehicle Pursuit & Emergency Vehicle Operation policy, also violating several key points of this policy. Corporal Caravaggio also violated the Seat Belt Use Policy. Corporal Caravaggio also violated Field Training Officer training and directives as he was ultimately responsible for the safety and training of Officer Ebbighausen. It is Corporal Caravaggio's responsibility that any new officer he is in the process of training adheres to the rules and regulations and state and federal laws.

Sergeant Dickerson, a 10 plus year veteran of RCPD, violated the Vehicle Pursuit & Emergency Vehicle Operation Policy.

Commander Whitehead, a 9 plus year veteran of RCPD, may have violated the Vehicle Pursuit & Emergency Vehicle Operation Policy.

On July 7th, 2023, the Rutland City Police Department had several interactions with a male identified as Tate Rheume dob(6-25-03). Officer Ebbighausen and Corporal Caravaggio first interacted with Rheume at 76 East Washington street approximately 1025 am. They had been dispatched there for a report of Rheume at the location who was refusing to leave. Ebbighausen and Caravaggio arrived, spoke with all parties involved, and sent Rheume on his way with no further action taken or needed. This interaction was captured on Caravaggio's body camera. This video was retained as evidence and is included with this report packet. Of note, the video shows the two officers arriving and parking, with no seatbelt being taken off by Caravaggio, unless the seatbelt had been taken off prior to the arrival. The vehicle had been travelling about 20 seconds before Caravaggio exited. That would be a good distance to travel without a seatbelt if he had one on at this time. Also of note, the video shows the location of where Officer Ebbighausen kept her department issued equipment on her body on this day. If Ebbighausen activated her body camera for this incident, it was not downloaded to the server.

At approximately 1353 hours, Officer Dumas and Sergeant Dickerson were dispatched to 176 Adams street for a report of Rheume blocking the driveway. This location belongs to the grandmother of Jasmin Baker from the earlier complaint. At this time, Baker was at this location with her grandmother and her children. Issues concerning Baker and her grandmother about Rheume's recent behavior were discussed with Dickerson and Dumas to include his recent mental decline and lack of taking medications. Baker tells Dumas and Dickerson that Rheume is very psychotic. It was determined by Officer Dumas that Rheume was not going to be allowed to take his children from this location based on his current mental state. Dumas is heard on the video saying to Rheume "you are in no condition to take the children". Rheume was allowed to drive off from this location. Also during this interaction, Baker said that she wanted him to get help for his mental health. This interaction was also captured on Dumas' body camera. This video was retained as evidence and is included with this report packet.

At 1438 hours, Officer Dumas was dispatched to 76 East Washington Street for a report that Rheume was inside of the residence and the male complainant (Zach Trombley dob 12-1-90) was reporting he could currently see Rheume inside by viewing a surveillance camera. Dispatch called Dumas as it was in reference to his last call. Officer Dumas was told Rheume was breaking in.

Officer Dumas arrived at 1441 hours as evidenced by the timestamp on his body camera that he activated. Dumas approaches the particular apartment and sees Rheume inside of the apartment. Dumas tells Rheume to step outside. Dumas does not in any way frisk, search, detain Rheume other than by verbal command to take a seat. Dumas at

this point, based on the complaint, could have put Rheume into handcuffs at a minimum to detain Rheume, and to continue to investigate this complaint.

Officer Dumas continued by talking with Rheume and by contacting Jasmin Baker, who is the mother of Rheume's children. She was involved with the recent Adams Street case that Dumas just cleared from. Baker at this time was at the court attempting to apply for a restraining order against Rheume. I believe Officer Dumas wanted to talk to her as Rheume was saying she allowed him to come here to get his stuff.

Dumas eventually made phone contact with Baker. This phone conversation was recorded by the body camera as she called back to the PD at Dumas' request and was put through to Dumas' cell phone. During this conversation, Baker was told of the circumstances that led to this moment and was asked by Dumas what would you like to do at this point. Dumas can then be heard saying, "pursue charges". Just after these words to Baker by Dumas, which Rheume could hear, Rheume stands up and runs off at 1450 Hours. Dumas then chases after Rheume on foot, which then turned into a motor vehicle pursuit after Dumas failed to take Rheume into custody while Rheume was attempting to get into his truck.

It is at this critical moment the decisions Dumas made lead him to violate the pursuit policy. Dumas at this point did not have any more probable cause to arrest Rheume than he did the moment he arrived to find Rheume inside of the residence. The courts have said just mere flight from law enforcement does not in and of itself increase or create the criminal aspects of cases without other corroborating evidence. Rheume fled on foot when he heard the word charges. Dumas was not told at this point by Baker that she wanted Rheume arrested. Even if Baker had told Dumas that she did want him arrested, the only criminal action that would have been appropriate at this moment was an unlawful trespass based on what was known at this time. Dumas did not have any evidence of a fresh break in, did not have any evidence Rheume had stolen or damaged anything while inside, or violated any kind of court orders, and did not have any evidence that Rheume was armed or made any threats. Up to this point, Rheume was cooperative with Dumas. For argument's sake, if Dumas did have evidence of a Burglary, a burglary is not a violent felony. Our pursuit policy clearly states pursuits may only be undertaken for certain things to include a Violent Felony. The pursuit policy further clearly defines a violent felony as "a serious felony that involves an actual or threatened attack that the officer has reasonable suspicion to believe could result or has resulted in death or serious bodily injury (e.g. aggravated assault, armed robbery, and murder, etc.)". A burglary does not fit in any part of this definition. Officer Dumas would not have been authorized to pursue Rheume for a burglary, even if Dumas had probable cause to arrest him for Burglary, which he did not have.

Dumas' body camera was left on during the duration of the pursuit which captured audio and video. This video was retained as evidence and is included in this report packet.

In reviewing this video, (Dumas body camera timestamps) it is clear Dumas is actively chasing Rheame with lights and siren activated. Dumas began driving his cruiser at 1451 hours. At 14:51:17, Dumas activates his emergency lights just after turning right onto Butterfly Avenue. Dumas then turns left onto Killington Avenue at 14:51:26. At 14:51:34 he tells dispatch "10-4 he is 95 for burglary", while still on Killington Avenue. At 14:51:38, Dumas activated the siren, prior to Stratton Road. At 14:51:48, Dumas turns left onto Stratton Road. At 14:51:59 he advises dispatch he was northbound on Stratton Road.

In reviewing the audio transmissions recorded through dispatch, (dispatch recorded time stamps) it is also clear that Dumas never requests permission to pursue Rheame which is a clear violation of our policy. At 1451 hours, during the pursuit, Dumas is told by dispatch that 34 (Commander Whitehead at the time) is inquiring are you trying to stop him. Dumas then replies with the 10-4 he is 95 for burglary. Dispatch then asked Dumas what was his speed and location. Dumas only responded northbound on Stratton, and did not provide speed as requested.

A short video from a ring camera was obtained from Thomas Depoy who lives on Stratton Road at the intersection of Killington. This video showed Rheame's truck turning northbound on Stratton Road from Killington Avenue. This video then showed Dumas already had on his lights and siren while on Killington Avenue, before he turned northbound on Stratton Road. (Depoy video timestamp 14:51:55)

It is at this point, based on the radio conversations alone, someone at any rank should have stopped this pursuit. Dumas did not ask for permission to continue the pursuit, he was pursuing for a burglary only, and Dumas knew Rheame was operating the vehicle he was pursuing and knew his recent mental health issues. Therefore, continuing this pursuit was in violation of our policy.

At no time did anyone other than dispatch and Dumas speak on the radio until the crash. Corporal Caravaggio, Sergeant Dickerson, Commander Whitehead and Sergeant Rose were all on duty. Sergeant Rose was working patrol overtime, Sergeant Dickerson was working patrol overtime as the shift commander, and Commander Whitehead was working his normal shift as the patrol commander. All officers working patrol duties would normally have their portable radios on for response to calls for service. Commander Whitehead may or may not have had his portable radio on and may have been in dispatch at this point to hear the radio traffic. Any one of them could have made the determination to stop the pursuit. Instead, Caravaggio, Ebbighausen and Parker all left the station heading towards Dumas' location to assist.

It is important to point out that LACK OF AUTHORIZATION IS NOT AUTHORIZATION.

Ebbighausen was driving the patrol vehicle, Caravaggio was in the front passenger seat. They were the first patrol vehicle in line heading towards the pursuit. Parker was alone following Ebbighausen. Ebbighausen was travelling eastbound on Woodstock Avenue, the pursuit was travelling westbound on Woodstock avenue. The crash occurred when Rheume crossed over the center line and travelled into the oncoming lane which Ebbighausen was in causing a head on collision between Rheume and Ebbighausen. (See VSP crash report and investigation attached with this report packet)

The Vermont State Police were called in due to this critical incident and took over the crash investigation. Their investigation found that Ebbighausen and Caravaggio were not wearing their seatbelts. Ebbighausen was ejected from her vehicle and died as a result of her injuries. Caravaggio was not ejected, did sustain serious injuries, and subsequently made a full recovery and was able to come back to full duty. Parker sustained minor injuries as Rheume's vehicle collided with hers after colliding with Ebbighausen's vehicle. Page 32 of VSP Crash report states, "It should be noted that a seatbelt defeat buckle was observed in the passenger's side seatbelt assembly". This would explain why we did not see Caravaggio taking off his seatbelt in the first interaction with Rheume.

VSP had already interviewed Dumas, Caravaggio, and Parker during their investigation, the audio portions of these interviews were obtained from the Rutland County States Attorney's office after the criminal charges were filed against Rheume. These recordings are attached with this report packet.

The resulting investigation by the Vermont State Police concluded with criminal charges against Rheume. VSP also called in the New York State Police for their crash reconstruction skills and this collaboration took considerable time to complete. The extensive investigation reports, Rheume's charging affidavit and case filings are all included in this report packet.

As part of their investigation, VSP interviewed Jasmin Baker the evening after the crash happened. She told VSP investigators that she was on the phone with Dumas when she asked what her options were about Rheume. She told investigators that she was still on the phone and heard the entire pursuit and at some point after the crash, Dumas realized the phone call was still going. She told VSP that she would NOT have pressed any charges against Rheume and would only have asked for him to leave. She said she did not think Rheume had taken anything and she just wanted him to get some help. Baker also said Rheume had stayed at her apartment recently.

The Rutland City Police Department has an Internal Affairs Policy, part of the purpose in having an internal affairs policy for our department to do internal affairs investigations, is

to see if department policies were violated. Another major aspect of doing internal affairs investigations is to look at ways to protect and limit departmental liability. The Vehicle Pursuit & Emergency Vehicle Operation policy was issued and implemented in 2011. In this policy under section N. Training: #1 states "Officers shall not participate in a pursuit unless they have received specialized pursuit driving training". In 2012 this particular training was provided by the Vermont Police Academy to members of the Rutland City Police Department to fulfill this requirement. This was a classroom training and not a how to drive the vehicle or defensive driver training. The focus of this classroom training was more on the officer and department liability and factors to consider when engaging in pursuits. It also covered statutes and case laws. Dumas' training records do not show him having received this particular training.

Had this pursuit happened just one month prior, (June 7th) at this same time, the students of Rutland High School, and Stafford Technical Center would have been leaving school at this time and there would have been numerous other juveniles and vehicles in the area of Stratton Road and Woodstock Avenue and would have also been put at risk. This pursuit travelled through a school zone, a parking lot full of vehicles (Stewarts) and on two roads that are heavily travelled at this time of day.

By the time I was directed to continue my investigation, Dumas had resigned from this department. I emailed Dumas as he went to work for the Rutland Town Police Department, asking him to come in for the interview portion of this investigation. Dumas at first accused this department of being retaliatory because he switched departments. I provided Dumas with a needed response date of December 18th 2024 or I was moving on with my investigation either way. I did not get a response by the deadline so no Interview of Dumas was conducted.

In the audio interview of Dumas by VSP on 7-19-23, Dumas said he "got back in my cruiser and started to pursue him". Dumas said he caught up to Rheame at Stewarts, followed Rheame through the Stewarts parking lot. Dumas said the parking lot and intersection were full of cars.

Corporal Caravaggio did come in for an interview, was accompanied by Jack Parlon as his union representative. This interview was audio recorded and retained as evidence and included in this report packet.

Caravaggio predicated his interview on the fact that his memory around the time of the crash was still fragmented. Caravaggio said at the time of this incident he was very familiar with our pursuit policy. He said he does normally wear his seatbelt, and did not know why he did not have it on, and did not know why Ebbighausen did not have hers on. He speculates because of the hurried response they left from the station to go help Dumas. Caravaggio did not activate his body camera during this emergency response.

Caravaggio did not advise or provide guidance to Dumas in any way during the time of the pursuit. Caravaggio said he did not have a plan for when they caught up to the pursuit. Caravaggio said up until this day, he had not been involved in a pursuit as an officer, corporal, or as an FTO with a trainee. Caravaggio said it was his perception that Dumas was trying to locate or catch up to Rheume and not in an actual pursuit until the last few seconds. This is a contradiction to why they both hurried out of the station (along with Officer Parker) and responded code 3 towards Dumas. Caravaggio also said he did not recall Dumas saying he was in an actual pursuit. Also in contradiction, as stated earlier, the VSP crash team noticed a seatbelt defeat buckle being used on Caravaggio's seatbelt assembly. This shows that he does not normally use his seatbelt in the police cruiser and he even made efforts to defeat the seatbelt warning system that is audible when the vehicle is in motion.

Officer Dumas (using his body camera time) radioed that Rheume was taking off at 14:50:42, the crash happened at 14:53:15. This is 2 and ½ minutes from take-off with vehicle to the crash. Officer Parker was following Caravaggio and Ebbighausen from the station to the crash site. It is known that our watchguard systems takes some time to boot up after sitting idle for more than 30 minutes before they start recording. This we believe is why Officer Parker's watchguard system did not start recording. (See my supplemental report). Officer Dumas advised he was trying to stop Rheume and that Rheume was a 95 for Burglary, and advised he was northbound on Stratton at 1452 hours. From hearing this, if all 3 left the station at 1452, they got to the crash site prior to the completion of the boot up time which we tested and found to be 1 minute 16 seconds. (Testing video also included) They would not have known Dumas' location until after dispatch asked and he responded northbound on Stratton.

Dickerson was interviewed on 1-21-25. This interview was audio recorded and retained as evidence. This interview is included with this report packet. Dickerson was working 12 to 1800. He said he did not remember what Dumas said over the radio, but said it was very chaotic. Dickerson said it all happened so fast. He said Dumas did not request authorization to continue the pursuit. Dickerson said he did not provide any guidance to Dumas or anyone on the radio during this incident.

In reviewing the crash scene evidence, it appears the driver's seat of Ebbighausen's vehicle was still in the vehicle, the driver's side door was ripped off along with most of the roof of the vehicle that was peeled back. Even though this vehicle sustained catastrophic damage structurally, there were some areas of less critical damage.

Ebbighausen's body camera was never found, it is assumed to have been destroyed as a result of this crash. It is unknown if it was ever activated during this incident. She was wearing the body camera as evidenced by the video of her and Caravaggio's first

interaction with Rheume earlier in the day. The serial # for her assigned body camera is X60A6796E

As a result of my investigation, here is a list of violations for officers working this day:

Dumas - No Pursuit Driving Training

No Violent Felony

Did not request authorization to continue pursuit

Did not receive authorization to continue pursuit from any supervisor

Did not consider environmental factors

Did not provide speed as requested by dispatch

Knew who he was pursuing and that subject's current mental state

Benefits of arrest did not outweigh the safety of officers and civilians.

Caravaggio - Corporal - FTO – failed to direct his trainee to wear seatbelt / or ensure she had it on

Did not advise Dumas pursuit for burglary was Not authorized

Did not have his seatbelt on

Used a seatbelt defeat buckle assembly

Did not activate his body camera during an emergency response

Dickerson – Sergeant - Did not advise Dumas pursuit for burglary was Not authorized

Did not assume immediate control of pursuit

Ebbighausen - Did not wear her seatbelt

To Conclude;

The death of Officer Ebbighausen WAS preventable. This incident and more specifically the pursuit should have never happened. The pursuit should have never started. The

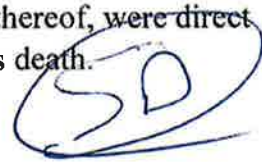
specific parts of the vehicle pursuit policy were put in place to prevent this exact sort of thing. Had everyone done their jobs correctly on this day, this would never have happened. Even if the pursuit was legitimately started, supervisors had a duty and responsibility to stop the pursuit. There was plenty of time in between radio transmissions for supervisors to take control of this situation and make the appropriate decisions.

Field Training Officers are fully responsible for their trainee's safety. Not ensuring the most basic of safety rules like wearing a seatbelt is a serious violation and shows a lack of training/trainer skills. And further making efforts to defeat the seatbelt warning system in order to not wear a seatbelt is an egregious violation of policy and law.

At the time this report was submitted to the Chief for final review, the criminal case against Rheume was still active and had not gone to trial yet. Officer Dumas resigned and was working for the Rutland Town Police Department.

The number one question remaining is this, if Officer Ebbighausen had her seatbelt on, would she have survived this crash. At this point, we will never know.

Both Officer Dumas and Corporal Caravaggio's actions, or lack thereof, were direct contributing factors in the cause of Officer Jessica Ebbighausen's death.

A handwritten signature consisting of the letters 'SD' enclosed within a hand-drawn circle.