



November 12, 2020

*“One Nation Working Together,  
For Justice and Equality  
Everywhere”*

Jane Patton, Chair  
Select Board for the Town of Williamstown  
31 North Street, Williamstown, MA 01267  
jpatton@williamstownma.gov

Re: Misconduct of Williamstown Police Department and Town  
Manager

Dear Ms. Patton and Members of the Select Board,

The National Association for the Advancement of Colored People is the oldest Civil Rights organization in the United States. The Berkshire County Branch of the N.A.A.C.P (BCB NAACP) seeks to address occurrences of discrimination within Berkshire County.

It has come to our attention that citizens of Williamstown, particularly those of color and other historically marginalized groups, have lost confidence in the ability and willingness of the Williamstown Police Department (WPD) to keep them safe. This lack of trust and confidence in the WPD has led citizens to call for removing the WPD Chief, putting the Town Manager on administrative leave and defunding the WPD to reconstitute it from the ground up. Despite this strong public outcry, the Select Board has chosen not to take any of these actions demanded by citizens, and has even gone so far as to express confidence in and support for the WPD, its Chief, and the Town Manager, and further to demand that citizens respect and honor the police even when the police department has fostered a culture of discrimination and has harmed the Town’s citizens.

We are disappointed by the collective actions of Jane Patton, Hugh Daley, Andrew Hogeland, Jeffrey Thomas, and Anne O’Connor, who together comprise the Select Board for the Town of Williamstown; and we call for the Select Board immediately to have an independent third party conduct an investigation into allegations of misconduct of Kyle Johnson, the Chief of the Williamstown Police Department, of officers under Chief Johnson’s command, such as Officer Craig Eichhammer and others who have yet to be named publicly, and of the Town Manager for Williamstown, Jason Hoch. During the period of the independent investigation, the Town should put Chief Johnson, Officer Eichhammer, other problem officers as they are identified, and Manager Hoch on administrative leave, to help preserve the independence and trustworthiness of the investigative process. In addition, the Select Board should issue a statement condemning the misconduct of Chief Johnson, Officer Eichhammer, other problem police officers, and Manager Hoch, and making it unequivocally clear that the Town and its Select Board will not continue to tolerate such conduct and detailing the consequences that shall follow.

It appears that the Select Board is in the process of hiring a consultant to review the police department’s policies and procedures; however, the Town has not tasked this consultant with conducting an independent

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Race Relations

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third party investigation into the allegations laid out in the August 12, 2020 federal civil rights complaint filed by Sergeant Scott McGowan or an investigation into the actions of Officer Eichhammer that led to his addition to the Brady list or an investigation into Manager Hoch’s actions to conceal the November 12, 2019 complaint Sergeant McGowan filed with the Massachusetts Commission Against Discrimination. The Select Board’s response to the misconduct of Chief Johnson, Officer Eichhammer, and Manager Hoch is underwhelming. Merely reviewing WPD policies and procedures will not be sufficient to help restore citizens’ trust and confidence in the WPD, the Manager, and now, the Select Board as well.

The fundamental problems within the culture of the WPD suggest a desperate need for a change in leadership. In his civil rights complaint, Sergeant McGowan alleges that Chief Johnson himself sexually assaulted McGowan and others multiple times. In their January 7, 2020 response to McGowan’s complaint, Manager Hoch and Chief Johnson admit that Johnson engaged in “unprofessional and juvenile locker room behavior” and that Johnson is “embarrassed and ashamed” by his behavior. In addition, McGowan’s complaint provides an attachment of a photograph that depicts a mural to Adolf Hitler created in the WPD; and Hoch and Johnson have themselves admitted that a WPD officer hurled an anti-Black, racial epithet at a visiting student. Residents of Williamstown have relayed numerous stories of police misconduct, including being stopped for driving while Black and being required to prove that they live in Williamstown. McGowan’s complaint is consistent with the experiences of Black and Brown residents of Williamstown. It states, “For well over a decade, the Williamstown Police Department ... has maintained an atmosphere in which racial harassment and hostility to persons of color are tolerated and perpetrated at the highest level, to the extent that one officer of color left the Department just to escape the demeaning behavior of Chief Kyle Johnson.”

The citizens of Williamstown are scared, and many are scared of the police. It is puzzling that Select Board member Ann O’Connor, at the Town’s October 26, 2020 meeting, thought the appropriate response to these concerns—concerns which also included stopping Black people from getting death threats—was to engage in yoga. O’Connor and other members of the Select Board appear to view the allegations and admissions of misconduct by Chief Johnson and Manager Hoch as one big “learning experience”—rather than as the abuse of power, the dereliction of duty, and the danger to the safety of the citizens of Williamstown that they are. In his Letter from a Birmingham Jail, Martin Luther King, Jr., wrote, “the Negro’s great stumbling block in his stride toward freedom is not ... the Ku Klux Klanner, but the white moderate, who is more devoted to ‘order’ than to justice; ... who constantly says: ‘I agree with you in the goal you seek, but I cannot agree with your methods of direct action.’” Here, the Select Board of Williamstown is behaving in a fashion identical to the White moderate King criticized in his Letter.

The Board’s decisions— to laud the WPD for its performance instead of condemning its misconduct and to retain the Manager and Chief



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instead of placing both on administrative leave and having an independent investigation into their misconduct —run contrary to the Select Board’s claims to value people of all backgrounds and to being committed to racial equity and racial justice. The decision of the Select Board to protect the Manager and Chief suggests that the Town only views certain citizens as worthy of protection and, among those whom the Select Board considers worthy of protection, Blacks and Jews are not included. The failure of the Select Board to sanction the Manager and the Chief is a dereliction of duty, a failure to safeguard citizens, and poor governance. We urge the Select Board to reconsider its recent decisions and to reflect deeply on whether the Board is serving Williamstown.

Sincerely,

Dennis Powell  
President, BCB NAACP  
Legal Redress Committee BCB NAACP  
Race Relations Committee BCB NAACP