

**STATE OF VERMONT
VERMONT CRIMINAL JUSTICE COUNCIL**

In re: Christopher Matott)
) VCJC PRS Docket No. 2020YFJ
)

STIPULATION AND CONSENT ORDER

NOW COME the State of Vermont and Christopher Matott, and agree and stipulate as follows:

1. Christopher Matott (“Respondent”) of Rouses Point, New York holds a Vermont Level III law enforcement officer certification originally issued on or about November 21, 2014 as a full-time certification by the then-Vermont Criminal Justice Training Council.

2. Jurisdiction in this matter vests with the Vermont Criminal Justice Council (“Council”) pursuant to 20 V.S.A. §§ 2351, 2401-2411, and 3 V.S.A. §§ 809-814.

3. Respondent acknowledges that he voluntarily enters this Stipulation and Consent Order. He agrees and understands that, by exercising this document, he is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Council in this matter, to be presented with the evidence against him, to cross-examine adverse witnesses, and to offer evidence of his own to contest any of the State’s allegations or findings. 20 V.S.A. § 2405; 3 V.S.A. §§ 809, 814.

Findings of Fact

4. The Council Professional Regulation Subcommittee (“Subcommittee”) reviewed and processed complaints in VCJC PRS Docket No. 2020YFJ pursuant to 20 VS.A. Chapter 151, Subchapter 2.

5. The Subcommittee concluded that the facts established by the investigation of the complaint in VCJC PRS Docket No. 2020YFJ supported findings of unprofessional conduct and, by vote on October, 18, 2021, further concluded that Respondent had engaged in Category A conduct.

6. On or about November 10, 2022, and as directed by the Subcommittee, the State of Vermont, by and through the Council Executive Director, filed a Notice of Hearing against Respondent. Such Notice of Hearing set forth allegations against Respondent as described below.

VCJC PRS Docket No. 2020YFJ (Category A)

7. Christopher Matott has a Level III law enforcement certification from the Vermont Criminal Justice Council. He was first certified as a Level III officer on November 21, 2014. He was employed by the Winooski Police Department in Winooski, Vermont as a law enforcement officer from July 18, 2017 until March 26, 2020

8. On February 20, 2020 Christopher Matott was arraigned on a charge of misdemeanor domestic assault pursuant to 13 V.S.A. § 1042 in docket number 9-2-20 Gicr in Vermont Superior Court, Grand Isle Criminal Division. He pled not guilty at arraignment.¹

9. The charging Information for that offense reads as follows: “Christopher Matott, in the County of Grand Isle, at Alburgh, on or about July 12, 2019, willfully caused a family or household member, TO WIT, J.M., to fear imminent serious bodily injury, in violation of 13 V.S.A. § 1042.”

¹ To the extent that Christopher Matott may have also been arraigned on other charges at the time of the charges detailed herein, those charges are not included here, as they are not the subject of the Category A violations alleged in this Notice of Hearing.

10. Christopher Matott was issued conditions of release at his arraignment on that charge including condition 14 which reads: “You must not have contact with [J.M.] ... This includes in person, in writing, by telephone, by e-mail, or through a third person regardless of whether you are in jail or released.” Christopher Matott signed a copy of his conditions of release acknowledging receipt on February 20, 2020.

11. On March 23, 2020 the Court amended Christopher Matott’s conditions of release by stipulation in docket 9-2-20 Gicr. Those amendments allowed contact between Christopher Matott and J.M. via text messaging only for the purpose of discussing parent/child contact, and incidental contact during parent/child contact exchanges but he was not to be alone with J.M. at any time during parent/child contact exchanges. Christopher Matott signed amended conditions of release on March 30, 2020 acknowledging receipt.

12. On June 4, 2020 Christopher Matott was arraigned on a charge in docket number 27-6-20 Gicr of violating his conditions of release pursuant to 13 V.S.A. § 7559(e). The charging Information for that charge read: “Christopher Matott, in the County of Grand Isle, at Alburgh, between April 4, 2020 and April 30, 2020, being subject to release conditions issued under 13 V.S.A. § 7554, violated condition # 14 as amended by ## 34 and 35, in Docket No. 9-2-20 Gicr, in violation of 13 V.S.A. § 7559(e).” He pled not guilty at arraignment.

13. On April 19, 2021 Christopher Matott was arraigned in docket number 21-CR-02931 and pled not guilty on an additional charge of violating his conditions of release pursuant to 13 V.S.A. § 7559(e). The charging Information for that charge read: “Christopher Matott, in the County of Grand Isle, at Alburgh, on or about March 14, 2021, being subject to release conditions issued under 13 V.S.A. § 7554, violated COR # 14 as amended by COR # 34 in Docket No. 9-2-20 Gicr, in violation of 13 V.S.A. § 7559(e).”

14. On September 29, 2022 Christopher Matott entered into a plea agreement whereby he pled guilty to a misdemeanor charge of domestic assault in docket number 9-2-20 Gicr and one count each of violation of conditions of release in docket numbers 27-6-20 Gicr and 21-CR-02931. The Court accepted his plea and sentenced him on those criminal offenses.

15. Christopher Matott agreed at his change of plea hearing that the factual basis for the domestic assault conviction was contained in paragraph 15 of the probable cause affidavit written by Detective Trooper Michael Mattuchio, dated February 19, 2020. The probable cause affidavit recounts Christopher Matott's behavior toward J.M. as it is captured in an audio recording. The relevant portion of the probable cause affidavit is as follows:

The first recording is dated, and time stamped on July 12, 2019 at 1010 pm in Alburg[sic]. In summary, you can hear [Christopher Matott] extremely angry and the Victim crying. You hear [Christopher Matott] say, "stop the tears or I'll punch you in the fuckin face". He continuously tells the Victim to "shut the fuck up". He calls her a "piece of shit", he asks[sic] the female to take a paternity test and to get out of his life. [Christopher Matott] said, "you deserve nothing in life". You then hear [Christopher Matott] punch something and say, "I wish that was your face. I've never wanted to hit anybody but you, you little cunt you bitch you have to tell my friends I beat you. You deserve to have your face broken. The old me would have slit your throat open. I don't know you think your[sic] fucking with. I don't care about your ex boyfriends; I will kill every single person important to you". He then a few minutes later says he "will ruin her life". He says that he is leaving and taking his son before he kills her. You then hear the Victim say, "Please don't". [Christopher Matott] also made a comment to the Victim, stating, "Last night was asinine and I wanted to murder you in your sleep, but I didn't". [Christopher Matott] says he never laid a hand on her in his life. She begs [Christopher Matott] to let her calm down.

16. Christopher Matott agreed to the factual basis for his conviction for violation of conditions of release in 9-2-20 Gicr as it was articulated by the prosecutor, Douglas DiSabito, at the change of plea hearing. That factual basis was as follows:

At the same residence in Alburgh, where J.M. was residing at the time, between April 4th and April 30th, Mr. Matott was subject to conditions of release in docket number 9-2-20. Condition 14 as amended by number 34 and number 35, and that was having contact with [J.M.] in person, and also making statements to her in text messages outside of the parameters of condition 14.

17. At the change of plea hearing, Christopher Matott further agreed to the following factual basis for his conviction of violation of conditions of release in docket number 21-CR-02931:

In Alburgh, on or about March 14th, 2021, the allegation is that Mr. Matott again, violated condition 14 as amended by condition 34 in docket number 9-2-20, having contact outside of the parameters.

18 The domestic assault conviction and the two convictions for violation of conditions of release constitute unprofessional conduct as they are misdemeanors committed off duty that are sanctionable as Category A conduct by the Vermont Criminal Justice Council pursuant to 20 V.S.A. § 2401(1)(C)(ii) and (v).

Conclusions of Law

19. Vermont law sets forth three categories of law enforcement officer unprofessional conduct: Category A, Category B and Category C. *See* 20 V.S.A. § 2401(1)-(3) (categories defined).

20. As relevant to this matter, Category A conduct is defined as follows:

(1) “Category A conduct” means:

(A) A felony.

(B) A misdemeanor that is committed while on duty and did not involve the legitimate performance of duty.

- (C) Any of the following misdemeanors, if committed off duty:
- (i) simple assault, second offense;
 - (ii) domestic assault;
 - (iii) false reports and statements;
 - (iv) driving under the influence, second offense;
 - (v) violation of a relief from abuse order or of a condition of release;
 - (vi) stalking;
 - (vii) false pretenses;
 - (viii) voyeurism;
 - (ix) prostitution or soliciting prostitution;
 - (x) distribution of a regulated substance;
 - (xi) simple assault on a law enforcement officer; or
 - (xii) possession of a regulated substance, second offense.

21. Respondent acknowledges that if this matter, VCJC PRS Docket No. 2020YFJ, were to proceed to a contested hearing, the State could prove that Respondent engaged in prohibited Category A conduct pursuant to 20 V.S.A. § 2401(1)(C)(ii) and (v).

22. Consistent with Respondent's cooperation with the Council, Respondent acknowledges that if the State were to file charges it could satisfy its burden at a hearing and a finding adverse to Respondent could be entered by the Council pursuant to 20 V.S.A. §§ 2401, 2405-2406 and 3 V.S.A. § 812.

23. In the interest of resolving this matter, the Respondent and the State agree to enter this Stipulation and Consent Order in lieu of proceeding to hearing.

24. The Council adopts as its facts and conclusions in this matter Paragraphs 4 through 30 herein, and Respondent agrees that this is an adequate basis for the Council actions set forth in this Stipulation and Consent Order. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.

25. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Council, Respondent has determined that Respondent shall enter into this agreement with the Council. Respondent enters no further admissions here, but to resolve

this matter without further time, expense, and uncertainty Respondent has concluded that this agreement is acceptable and in the best interest of the parties.

26. Respondent agrees and understands that by executing this document Respondent is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Council in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, to offer evidence of his own to contest any allegations by the State or to appeal from this Stipulation and Consent Order.

27. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order

28. The parties agree that upon the Council's acceptance of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be resolved by the Council. Thereafter, the Council will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

29. This Stipulation and Consent Order is conditioned upon its acceptance by the Council. If the Council rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Council does not accept this agreement in its current form, Respondent shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Council rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, and it shall be without prejudice to any future unprofessional conduct disciplinary proceeding and the Council's final determination of any charge against Respondent.

30. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in his permanent Council file, shall constitute an enforceable legal agreement, and may and shall be reported to other authorities, including the International Association of Law Enforcement Standards and Training National Decertification Index. In exchange for the actions by the Council, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.

31. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Council, it may enter an order implementing the terms and conditions herein.

Order


WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, and on the basis of the consent of Respondent, it is hereby ORDERED that:

1. Respondent's Vermont law enforcement officer certification shall be PERMANENTLY REVOKED effective as of the date of the Council's approval and order below, with no option of recertification.
2. Respondent shall provide a complete copy of this Stipulation and Consent Order to any state regulatory body or other certification authority related to law enforcement officers in any location or jurisdiction where he may apply for law enforcement officer employment, for so long as this Stipulation and Consent Order remains in effect.
3. Respondent agrees to be bound by all terms and conditions of this Stipulation and Consent Order. Respondent agrees that any failure by him to comply with the terms and

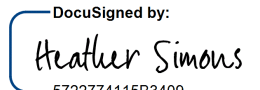
conditions of this Stipulation and Consent Order shall subject Respondent to further unprofessional conduct disciplinary action as the Council may deem appropriate.

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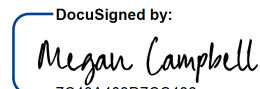
RESPONDENT

By: 
396BCB5804E047E...
Christopher Matott
Respondent
Dated: 2/7/2023

STATE OF VERMONT

By: 
5722774115B3409...
Heather Simons
Executive Director
Vermont Criminal Justice Council
Dated: 1/20/2023

Approved as to Legal Form for the State of Vermont:

By: 
7C40A403D7CC486...
Megan Campbell
Assistant Attorney General
Administrative Prosecuting Attorney
Dated: 1/20/2023

**AS TO IN RE: CHRISTOPHER MATOTT, VCJC PRS DOCKET NO. 2020YFJ:
APPROVED AND ORDERED
VERMONT CRIMINAL JUSTICE COUNCIL**

DocuSigned by:
William Sorrell
0E610B5851B7477... _____ 2/21/2023 _____

DATED: 2/21/2023

ENTERED AND EFFECTIVE: 2/21/2023