On 06/26/2020 at approximately 1135 hours I, Officer Discordia, was dispatched to 48 Whitehall Ave in the Old Mystic section of the Town of Stonington for an active disturbance at the front desk. Dispatch then advised "I have the other half on the phone, my half said he was assaulted, he is in room 128, wants an ambulance".

I arrived on scene with Sergeant Beebe. Sergeant Beebe was approached by a witness outside. We entered and were escorted by Manager Dev, Khambhati, to a laundry room down the hallway. Inside of the laundry room was a break room where we found the front desk clerk/victim, , and Executive Housekeeper Dorothy Williams. had swelling to her right eye and was holding a bag of ice up to it. She said she was "jumped", kicked and punched by two guests because they were upset over having no hot water in their room.

said she received a phone call from room 128. The guest was irate that they had no hot water, demanded compensation and demanded to speak with the manager. said this person yelled at her and was very disrespectful as she tried to reason with him. said she was sitting at the front desk when she heard guests arguing with Williams and Khambhati in front of the laundry room. She said she went to tell Khambhati her side of the story.

We were then interrupted by Williams who said the guests were trying to leave. Sergeant Beebe and I responded back outside. I believed they might try and leave in a vehicle so I got into my patrol vehicle and started to drive around the side of the hotel. Here I found Sergeant Morrison and Sergeant Beebe had made contact with, a male and female, they were explaining that they were just assaulted by the front desk clerk and were the ones who called 911. Sergeant Beebe was speaking to this male who had been handcuffed.

The female was identified through her NY learner permit [redacted] as Emily Orbay [redacted] The male identified himself as Philip Sarner [redacted] Both were run through NCIC and found to have no wants or warrants. His identity was later verified through the descriptors from a criminal history check and the name under the hotel reservation.

Sergeant Morrison and I spoke with Orbay as Sergeant Beebe spoke with Sarner. Orbay said she was kicked and punched by the clerk. She had a small scratch and redness to the bridge of her nose. Orbay said she was [redacted] and [redacted] because the clerk had punched her in the stomach. I observed a deep scratch to the right side of Sarner's neck. He also said he was assaulted by the clerk and had a headache. Both said they wanted an ambulance for their injuries.

After Sergeant Beebe spoke with Sarner, I then interviewed him. Sarner said they called down to the front desk because they had no hot water. The woman at the front desk began to argue with them saying they didn't need a manager and she could handle it. Sarner argued with the front desk clerk and realized he wasn't getting anywhere so Sarner and Orbay decided to go down and speak with the manager. Sarner and Orbay found the manager and head housekeeper and were speaking with them in the hallway when Sarner heard the clerk, , walking toward them. was yelling at him and threatening him. She was saying "You can't talk to me like that" and "I'm going to call my husband and you're going to get stabbed". Sarner said he turned around and said "What did you just say to me?" Orbay and Sarner said this is when started to punch Sarner in the face. Orbay an Sarner said they were defending themselves. Sarner said he called the police and called for an ambulance for himself and his [redacted] fiancé, Orbay.

Sarner said there must be video of the incident and said we should watch it. Sergeant Beebe and Sergeant Morrison allowed Mystic River Ambulance to the scene to treat Sarner and Orbay's injuries. After I had seen injuries to all involved and two completely different accounts, I decided to seek out additional evidence and witnesses.

I spoke with Khambhati about what he witnessed and inquired about the video of the incident. Khambhati said he

walked in on Sarner, Orbay and Williams talking near the laundry room. He entered into the conversation as Sarner and Orbay were complaining about hot water not working and a staff member being rude. Then came walking up the hallway from the front desk yelling at Sarner. was saying something like "don't you dare be disrespecting me, you don't know me". Sarner then yelled back, "Bitch, you don't talk to me like that, you don't know who I am. Khambhati said Orbay was holding Sarner back. I asked if threatened to stab Sarner. Khambhati said she may have said something like my son is in the army but he wasn't sure. Khambhati said then started to walk back to help a guest at the front desk. The next thing he knew, Sarner and were fighting in the hallway. He said he stepped in and broke it up. Khambhati did not see who threw the first punch or how it started. He had Sarner and Orbay go towards the front desk and went to the break room. Khambhati said he was trying to deal with Sarner and Orbay at the same time there was another guest at the front desk. He was taking care of the new guests when he heard a scream. He looked up at the camera and saw Sarner, Orbay and fighting again. He sprinted over and they were separated again.

Khambhati went to work on getting the video and I went to speak with still appeared to be in shock of what had happened. She said Sarner attacked her in the hallway. said Sarner punched her then threw her to the ground and Orbay and Sarner began to kick her. Ambulance personnel was on scene and I let them tend to She was later transported to Pequot Medical Center via Mystic River Ambulance.

Also, while speaking with , I heard from employees that son, had been called and was responding to the scene. The employees believed there was going to be a problem when he arrived. I forwarded this information to Sergeant Beebe.

I spoke with Williams who said was between Sarner and in the hallway when Sarner reached around Williams to punch Sarner then grabbed and threw her to the ground. He began to kick her while she was on the ground. Williams was not sure of Orbay's involvement. She said it looked like she was trying to pull Sarner off of but she could have been hitting as well.

Khambhati was having difficulty pulling up the video. I was able to observe a video of the front desk area which shows the hallway. Khambhati was unable to make it fullscreen but I could see video in a small square. At approximately 1132 hours can be seen walking back towards the front desk to help a customer. Then I could see Sarner, followed by Orbay, sprinting down the hallway after Just as Sarner gets to she turned around. The video clip then stops. The next clip is they two separated and yelling. This was the only video of the incident Khambhati was able to pull up of the incident. He was having trouble getting any other views.

At this point it was clear that even if had thrown the first punch she was acting in self-defense. She had no where to go and no way to defend herself. I relayed this information to Sergeant Beebe. We knew we had probable cause to arrest Sarner and Orbay based on the statements. The injuries sustained by Sarner and Orbay were a result from defending herself. This is when I was notified that Sarner and Orbay had requested medical transport to the hospital and Mystic River Ambulance transported them to L&M Hospital in New London.

I asked Khambhati if I could get a copy of the surveillance video. He said he did not know how to make a copy but would look into it. I left him my business card to contact me and offered to bring him a flash drive if he needed.

Sergeant Beebe and I agreed that I would respond to L&M hospital and take Sarner into custody after completion of his treatment.

I contacted the L&M Hospital Emergency Room charge nurse. She notified me that Sarner was in the ER waiting to see a doctor and Orbay had been transferred to the [redacted] I inquired about the COVID-19 protocols and I told her I needed to enter the Emergency Room to arrest Sarner. She told me she could not stop me from going in to get

a statement but I would not be allowed in to make an arrest. She told me they are not allowed to tell the police when any one is getting released. The charge nurse said the [redacted] Unit was likely had much more stringent guidelines.

I advised Sergeant Beebe of what was learned from the hospital.

Sergeant Beebe and I wanted take Sarner into custody and devised a plan to have him come to the police when he gets released from the hospital.

I had Khambhati cancel the room keys to Sarner's room (128) and told him to contact the police if they returned. Sarner's vehicle was still at scene. I called Sarner who said he was still in the ER and waiting to be seen by a doctor. He still believed he was a victim and asked if the clerk was arrested. I did not tell him my intent to arrest him and only that the incident was under investigation and I was still looking into getting the video. I told him he was banned from the Quality Inn and would need a police escort in order to get his possessions from the property. He said he understood and would let us know. The idea was to place Sarner under arrest when we made contact with him for the escort

Around 1515 I received a message from dispatch saying Sarner was looking to speak with me. I called Sarner. He said he was being threatened on Facebook messenger by people challenging him to come outside of his hotel room and fight them. Sarner said he was still at the hospital. I again told Sarner to set up a meeting with the police when he gets out of the hospital. I told him it was so we could give him an escort to get his things but it was really an attempt to meet up and arrest him. I sent Ofc Stamatien to the Quality Inn to anticipate Sarner's arrival. I cleared to backup Officer Hewes with a suicidal subject in Pawcatuck.

We advised New London Police we were looking to arrest Sarner if they made contact. There was another attempt from New London Police to make contact with Sarner but he was not found.

On 06/29/20 I spoke with Khambhati who said he was saving the file as we were speaking. At approximately 1200 hours I responded to the Quality Inn and took a copy of the surveillance video from the incident. Khambhati explained that the cameras are attached to motion sensors which is why sometimes they cut out and why there are breaks in the video from time to time.

I watched the video and it details two different altercations between and Sarner and Orbay. At 1125 hours the (front desk video - A13) shows talking on the phone at the front desk. At 1131 hours she leaves her desk and heads up the hallway towards the laundry room. There is a camera pointed at an ice machine which is located next to the laundry room door (A08). At 1130 hours Sarner and Orbay are seen on camera speaking with Williams. Khambahti enters the scene. Sarner is then seen yelling at someone down the hall, and pointing his finger at her. Sarner then quickly leaves the frame followed by Orbay, then Khambahti. At approximately 1132 hours the front desk camera (A31) has walking back towards the front desk to help a guest. Sarner and Orbay are then seen sprinting towards her from behind. turns just as Sarner reaches her and then the camera cuts out. The next clip shows everyone separated but still yelling at each other. Sarner and Orbay were escorted towards the front desk and down the hallway and into the laundry room. Sarner and Orbay speak with Khambahti at the front desk while Sarner paces back and forth. After a few minutes Sarner and Orbay walk back up the hallway towards the laundry room. At approximately 1136 hours camera (A08) shows Williams getting ice from the ice machine. I then enters the area to put the ice on her eye. This is when Sarner approaches with Orbay. Unprovoked Sarner and Orbay attack. Sarner throws a close fist punch with his left hand around Williams and strikes in the right eye. Orbay then punches multiple times. Sarner jumps in with a knee to stomach then grabs her and throws her to the floor. falls violently and strikes the back of her head on the floor. Sarner then kicks in the head with his right foot then puts his knee on her head while punching her in the head with a closed right fist. Orbay pulled off Sarner but then pushes as other employees

enter and break it up. staggered to her feet and was pulled into the break room by Williams for her safety.

The video surveillance was property contolled.

On June 26, 2020 at about 1135 hours, Officer Discordia and I were dispatched to the Quality Inn located at 48 Whitehall Ave in Mystic for a reported disturbance in the lobby between staff and a guest. Dispatch also reported a second call from a male subject reporting that he was assaulted, needed an ambulance and that he was in his room.

Upon my arrival to the front door of the main lobby a male exited the hotel and approached me. He reported that he witnessed a black female employee being attacked by a white male guest and another female who was with the male. He reported that the white male and the female companion were the obvious aggressors. He said it was a violent fight. He said things were calm and that he was leaving. I asked if the parties were separated and he said they were. He agreed to identify himself as Tim Cororan and I received his phone number, but he refused to wait.

Officer Discordia entered the lobby. I entered right behind Officer Discordia where we were directed up the hall to a break room where we met the employee, , who was assaulted. She was sitting in a chair holding ice to her eye. She was extremely upset and reported that a white male and his wife approached her and they were upset with there being no hot water in their room. She explained that they were yelling and demanding a refund. She stated that she told them not to talk to her the way they were. She stated that the male attacked her and punched her and threw her to the ground. Another Employee, Dorothy Williams said she witnessed the assault. The manager also reported that he witnessed the assault. explained that the white male guest chased her down the hall after she walked away to assault her. She said he punched her in the eye and that the female with him also punched her.Victim stood up from her chair and demonstrated how the suspect punched her from behind Williams.Victim told us that the suspects were going to leave that we better find them before they get away. I advised Officer Discordia that we needed to respond to the room where the other caller was. We then heard that they, the suspects, were leaving. At this time victim did not elaborate about any racial slurs being exchanged, but this was a brief encounter with her to obtain an overview to establish identification and detention of suspects. Williams remained with

As we exited the front door, I observed a white male and a Hispanic female walking toward us. Det. Sgt. Morrison arrived. The manager told me that the white male with the green shirt was the one who assaulted his employee and the female was his wife. Sgt Morrison and I approached the male and asked him if he was involved in the assault in front lobby. He said he was and that he was the one who called police. He was extremely agitated and animated. He was ordered to get his hands up for he appeared to be reaching to his waistband. He immediately complied I observed that his pupils appeared pin pointed causing me to believe possible narcotic use. I instructed him to turn around and put his hands behind his back. I placed handcuffs on him and advised him that he was not under arrest, but the info I currently had indicated he was violent and possibly attempting to flee. He said he understood. He said he was the one who was assaulted by the employee. He explained that was complaining about the hot water not working and was mad about it. He said that the employee told him not to talk to her that way and said she was going to call her son and have him shot. He said he then was assaulted by her and he defended himself and his wife. He said she hit him first. He explained that his wife was and that the employee assaulted her as well and punchd her in the stomach. He stated he chased her down the hall when she walked away and she assaulted him again. He explained that there were two incidents where the employee was the original aggressor. Officer Discordia and Sgt. Morrison spoke to the female. Officer Discordia then spoke to Sarner after he finished

speaking to the female.

The male identified himself as Philip Sarner of [redacted] Sarner showed me deep scratches to the left side of his head and marks on his neck. Wanted person checks were conducted which resulted negative for both. Mystic River Ambulance arrived and both Sarner and his wife agreed to be transported to the hospital for treatment. Mystic River called for a second ambulance. Sarner and his wife had stories which contradicted what we had learned already. However, Sarner's story at face value did not make sense. I uncuffed Sarner and allowed him and his wife to receive treatment as we continued our investigation. I learned that their car was at the hotel and believed the had possessions in the room to retrieve. Officer Stamatien arrived and remained with Sarner and his wife as they received treatment by EMS.

Officer Discordia re-entered to interview more and review video footage. Sgt. Morrison left the scene. Officer Discordia indicated that a third ambulance for had been dispatched. We then learned that had called her son who was on his way to our location. Officer Discordia informed me that he was told that there will be trouble when he arrives. I passed on this info to Officer Stamatien and advised EMS that they needed leave with their patients as soon as possible to avoid confrontation between son and Sarner and his wife. An ambulance arrived for as the son arrived. The son caused no problem, but for obvious reason appeared angry.

Officer Discordia reviewed the video footage and briefly showed me. It was obvious from this footage that Sarner was the aggressor along with his wife. It was decided that Sarner would be arrested, taken into custody when released from the hospital. The wife, being [redacted] would be issued a summons. Officer Discordia would later be told by L&M Hospital that because of COVID-19 he would not be allowed in to make an arrest and for patient privacy they would not be able to call regarding release time. I did not agree, but understood the hospitals position on this regarding the current COVID situation and decided not to challenge it in the spirit of a continued future working relationship with hospital. Officer Discordia would make arrangement with Sarner to meet at hotel for arrest under the guise of an escort. Quality Inn staff was asked to deactivate the room card forcing them to make contact with front desk who in turn would call police.

At end of my shift on 6/26 Sarner was still at hospital. Sgt. Diamanti, evening shift supervisor, was briefed. I would later learn that Sarner contacted Officer Discordia saying he was still at the hospital being released but police discovered his vehicle missing from the hotel. Apparently, son was at hotel waiting for Sarner. It was also learned that the son was communicating with Sarner.

Word spread though social media that police did not make an arrest. Black Lives Matter group and the NAACP were making inquiries. Lt Schneider had conversations with them regarding our intent and unsuccessful arrangement of arrest. And of continued investigation and pending arrest warrant. He said he received a call from Richard Brown, but did not make contact with him. I was instructed to call him.

On 6/28/20 I had conversation with a Richard Brown and explained the intention to arrest, but due to medical treatment of suspect and hospital policy regarding COVID our attempts to take him into custody

were reduced and failed. He was told we also had contradicting stories causing more investigation through review of video. He was informed that at scene, we had information of the victim's son arriving and my first priority was to restore and maintain peace. It was explained that an arrest warrant would be obtained.

I had a similar conversation with a representative, Linda Oppelt, of BLM 860 who called asking to speak to me. She was requesting case numbers of the incident and they were provided, call number and OF. She too was advised of the continued investigation and pending arrest warrant for the suspect. She advised that the suspect was posting on Face Book about the incident and had referred to the victim as a "monkey." She stated that the suspect, she identified as Phili, has since deleted his post. I did not provide suspect name to either party. Both appeared satisfied with the direction of the investigation.

On 6/28/2020 about 1800 hours I received a call from Sarner asking about the investigation. I advised him that it was not looking good for him and that video footage showed him as the primary aggressor. He became upset and began yelling at me and telling me that I did not look at all the of cameras. He insisted that she assaulted him. I advised him that witnesses also reported him as the assailant. I told him that we would be seeking an arrest warrant and would allow him to turn himself in. He yelled at me saying, "Don't threaten me with that shit, you fucking faggot." He then hung up.

** Portions of this report have been redacted **

SUPPLEMENTAL NARRATIVE FOR PATROL OFFICER GEORGE STAMATIEN

Ref: 20-436-OF

Entered: 06/29/2020 @ 2219 Entry ID: STAM747
Modified: 07/02/2020 @ 1445 Modified ID: STAM747
Approved: 07/03/2020 @ 1130 Approval ID: BEEB128

On 6/26/20, at approximately 1130 hrs, I responded to the Quality Inn Mystic, 48 Whitehall Ave, Mystic for a report of a disturbance. Sgt. Beebe, Det Sgt. Morrison and Officer Discordia arrived prior to this officer. The disturbance involved Quality Inn employee, and hotel guests Phillip Sarner and Emily Orbay. I found all involved parties had been separated.

I found Sarner and Orbay outside the hotel, I observed abrasions on Sarner's head and neck and Orbay, who stated she is [redacted] claimed she was injured from being kicked in the stomach. Both Sarner and Orbay stated caused their injuries and requested transport to the hospital. I remained with them until they were transported by ambulance. While we waited, Sarner told me that he confronted the front desk staff this morning about the lack of hot water in his room. According to Sarner staff was not accommodating and told him something to the affect that she "would stab or shoot him" or she would have him "stabbed or shot." He gave this as the reason he engaged in a physical altercation with .

remained in the hotel until an ambulance arrived. claimed she could not see out of her right eye and that she had pain in her right leg and hip area. All involved parties were transported to the hospital for treatment. I was advised that son, Jamel was on route to the Quality Inn and that he could be a problem when he arrives. He arrived with a female, I advised Jamel that his mother was inside and waiting for an ambulance to arrive. I observed his body language and it was obvious he was agitated, I advised him to care for . to not escalate the situation as the investigation was not complete. He responded by ignoring my comments and his female partner snickered and said "I don't think he can do that." A short time after all parties were transported, I cleared.

At approximately 1500 hrs, Officer Discordia received information that Sarner may be returning to the Quality Inn. I responded to the Quality Inn to make contact with Sarner. On arrival, I observed Sarner's vehicle was no longer on the Quality Inn property. At this same time, I observed three vehicles driving passed me in the Quality Inn parking lot. I recognized Jamel as the passenger of one of the vehicles and stopped the vehicle. Jamel admitted that he was in contact with Sarner through Facebook Messenger and he believed that Sarner was in his hotel room. Jamel was attempting to get Sarner to come outside where I believed he had planned to take retaliatory action against Sarner.

I advised Jamel that Sarner was no longer on the property as his vehicle was no longer here. Jamel snapped at me "He is! He took a Lyft! He's in his room. He's in the hotel! He won't come out." I explained to Jamel that this department still needed to speak with Sarner and that Sarner has now most likely fled the area after feeling threatened by Jamel. I advised Jamel that his actions are not helping the Stonington Police Department with this investigation. He was advised to terminate communication with Sarner and leave the Quality Inn property. Jamel replied something to the affect "I don't know if I can do that."

Manager Dev Khambhati informed me that Jamel had been on the Quality Inn property looking for Sarner since police left earlier. Khambhati also discovered that had remotely accessed the inhouse Quality Inn computer system after leaving for the hospital. She had accessed Sarner's registration information and then provided it to Jamel. Khambhati believed that the entire incident could have been handled much differently by all involved, including . Khambhati said that behavior leading up to this incident was not appropriate causing the hotel to consider disciplinary action or possible termination.