

Paying too much for Medicare? **MARTIN'S POINT** MEDICARE ADVANTAGE PLANS

Fired Franklin police officer, former union president, fights to get his job back



Lawyer Peter Perroni (left) confers with Jacob Drouin, a former Franklin police officer and union president during the city's personnel advisory board hearing at the Franklin City Hall on Tuesday - GEOFF FORESTER / Monitor staff

By MICHAELA TOWFIGHI
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Jacob Drouin, a former Franklin police officer and union president, is an aspiring school resource officer and father of two supporting his family, his lawyer Peter Perroni told the city's personnel advisory board.

He was fired from his job in retaliation for criticizing the police chief and to weaken the patrolman's association, Perroni said.

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Paul Fitzgerald, Franklin's longtime town counsel, called Drouin a liar, accusing him of falsely submitting worker compensation requests while continuing to exercise at home.

Drouin contested his firing Tuesday in a hearing before the personnel advisory board, which offers advisory opinions to the city manager on union disputes. After he received worker's compensation for a back injury last summer, Drouin was placed on administrative leave a day before the police union cast a vote of no confidence in the department and city leadership. In March, he was let go from the department altogether.

City leaders, including Police Chief David Goldstein and City Manager Judie Milner said Drouin lied about his ability to work as a result of his injury, with video evidence showing he was able to lift heavy objects on vacation despite saying he was unable to do so on the job.

But Drouin and his lawyer argued that the city's decision to terminate his employment was a tactic to undermine the union's vote. As a result, they've also tarnished the career of a 34-year-old who was pursuing a promising career in law enforcement.

The initial injury
In 2019, three years after he was hired by the Franklin Police Department, Drouin was out for a period of time with a herniated disk in his back and sciatica.

It was a routine absence for an injury. He returned to work after physical therapy and steroid injections. Three years later, while riding a bike during a police detail on July 23, 2022, Drouin said he aggravated this back injury. It hurt so much that he considered calling out sick the next day, said Perroni.

Drouin sought medical help to address the pain, which he assumed was lingering from his initial back injury in 2019. On August 5, Milner and the city received a letter from Primex Insurance, the city's insurance provider, stating that Drouin would be receiving worker's compensation for the July injury.

He would be able to return to work on September 1, with restrictions in place like an inability to lift more than 20 lbs, bend, squat or climb essentially, "light duty assignments," according to Milner.

While Drouin was on medical leave, he spent a week in August with his family at a campground in Woodstock. Primex Insurance hired a private investigator to follow Drouin to validate his worker compensation claims.

In one video clip, Drouin is seen as he carries bikes with his two children, who are four and six years old, standing alongside him. In another, through a wind fence, he carried a plastic Adirondack chair across a pool deck. A third shows Drouin riding a bike down the street.

This video footage speaks for itself, said Milner. Despite saying he was unable to do numerous tasks at work, Drouin completed many of them while on vacation with his family in August.

Milner and the city were first made aware that Primex had footage of Drouin during a workers compensation appeal hearing in September, she said.

But Milner, Goldstein and Fitzgerald were unable to personally view the videos until a December appointment with Primex, despite earlier requests to see the footage, said Milner.

After they watched a few hours of footage including the clips presented to the city's personnel board Milner and Goldstein decided to launch an internal investigation and place Drouin on paid administrative leave.

That happened on December 16.

The timing of that is what Perroni takes issue with. The next day, the police department's union was set to meet to discuss a vote of no-confidence against Milner, Goldstein and two lieutenants, Daniel Poirier and Ralph Hale.

Vote of no confidence
Inside the Franklin Police headquarters on Hancock Terrace, a handful of union members of the patrolman's association gathered for their meeting, while union president Drouin called in from the parking lot. While on administrative leave, he was unable to access department buildings.

In a letter, signed by Drouin, members called out Goldstein for "absentee leadership" and "retaliatory and unjust treatment of union members by subordinate leadership or himself."

The union's statement came on the heels of a public stand by Goldstein, where he called out local restaurant owner Miriam Kovacs, in a Facebook post. After attacks from white nationalist groups, Kovacs, who owns the Broken Spoon on Central Street, said the police department failed to respond or protect her.

She'd been dating a police officer, Mark Faro, at the time as well. Faro left the department in February after Goldstein sent him a letter with concerns about his relationship with Kovacs.

"I realize that your relationship with Ms. Kovacs presents you with a conundrum, however, the challenges presented by your affiliation with Ms. Kovacs are unacceptable as they exist and the solution is completely up to you," the letter read. "The purpose of progressive discipline is to assist a department member with recognizing their errant behavior and work toward acceptable change."

As chief, when officers went to Goldstein with complaints about mistreatment he failed to address them with a willingness to listen or understanding, the union statement said.

After the vote of no confidence, city leaders reaffirmed their support for the chief at the March city council meeting.

Throughout this, Drouin remained on leave.

"They did anything possible to end his career," said Perroni.

Character and credibility
All a police officer has is his credibility, Franklin police lieutenant Poirier told the personnel appeals board Tuesday.

And after an incomplete polygraph from a job Drouin applied to in Tilton Poirier began to question his colleague's character, he said.

Drouin was in conversation to be the next school resource officer at Tilton, according to Poirier, who was his supervisor while in the department.

But with the incomplete polygraph test, which is routine when hiring a police officer, Poirier was unclear whether he left or failed the test.

Drouin's lawyer asked for polygraph evidence to be thrown out in the hearing. Without the ability to examine the contents of the test like knowing what questions were asked and by whom it was unreliable evidence, he argued. His motion failed.

But the polygraph evidence wasn't Poirier's only question of Drouin's character. While still employed in the department, working on "light duty" and receiving worker's compensation, Drouin was seen doing pull ups at the department's gym, said Poirier. This was in direct violation of what he told the department, and city leaders, of what he was physically capable of doing.

Perroni argued that Drouin was training to be able to return to the department.

While Drouin was on administrative leave, he had also appealed the worker's compensation. The city received a decision from Drouin's second appeal on March 2, 2023, which referenced the videos from Primex, stating that they undermine Drouin's credibility as a claimant.

On March 3, Milner decided to place Drouin on unpaid administrative leave, with an intention to terminate him shortly thereafter. Milner, Fitzgerald and Goldstein met and decided to offer Drouin the opportunity to resign from the department.

They offered to meet with Drouin on March 16, but failed to recognize any other obligations like childcare duties that would have prevented him from attending, Perroni argued.

At that point, the city had exhausted 13 weeks of paid administrative leave, said Milner.

Drouin was terminated on March 17.

"Again, the termination was not because of the injury," said Milner. "It was because we feel that Mr. Drouin lied."

The appeals board, made up of three Franklin citizens, is an advisory body established in the union's contract. The hearing will continue on November 17 at 9:30 a.m. in Franklin City Hall.

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