

Marion Police Department
Incident Report

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05/18/2023

Incident #: 23-135-OF
Call #: 23-3006

Date/Time Reported: 04/17/2023 1518
Report Date/Time: 04/18/2023 0933
Occurred Between: 04/13/2023 1530-04/13/2023 1630
Status: No Crime Involved

Reporting Officer: Lieutenant Jeffrey Habicht

Signature: _____

EVENTS(S)

LOCATION TYPE: Lake/Waterway
SIPPICAN HARBOR

Zone: Mill St. Area

MARION MA 02738

1 Police Information

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	SUDOFKY, MICHAEL 163 FRONT ST MARION MA 02738-1526 DOB:	REPORTING PARTY	M	W	59		
2	MATHIEU, JOHN P 2 MARTHAS WAY MATTAPOISETT MA 02739-2552 DOB:	WITNESS	M	W	53		
3	CONLEY, CHRISTOPHER J 66 SPRING ST MARION MA 02738-1518 DOB:	PARTICIPANT	M	W	46		
EMPLOYER: TABOR ACADEMY CONTACT INFORMATION: Home Phone (Primary)							

Attachments for 23-135-OF

Description	Type
WRITTEN STATEMENTS	PDF
Attachment#: 46F7F063189F46069AFF56EF70897FF	

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NARRATIVE FOR LIEUTENANT JEFFREY A HABICHT

Ref: 23-135-OF

On Friday April 14, 2023 I spoke with Michael Sudofsky via phone regarding an event which occurred the previous day. Sudofsky informed me it involved a Tabor Academy sailing coach and took place in Sippican Harbor between 3:30 PM and 4:00 PM. I asked Sudofsky to tell me what had happened. After he provided me with his version of the event I determined no criminal event had taken place. Sudofsky stated he did wish for a report to be completed so I requested he provide me with a written version of the event.

On Monday April 17, 2023 Sudofsky came to the Marion Police Station. Sudofsky and I went into the small conference room where he gave me his written statement (see attached). He also believed he knew who the coach he interacted with was by looking at the Tabor Academy web page. I read the statement, asked a few questions, and once again advised there did not appear to be anything criminal. I stated I would positively identify the Tabor sailing coach, speak with that coach, and then complete a report.

On Tuesday April 18, 2023 I left a message for the Tabor Academy Director of Athletics, Kelly Walker. Walker and I were able to speak the following day. She informed me the involved coach was Christopher Conley and that he had provided a written incident report which was provided to me (see attached). Walker also informed me I was free to contact Conley if I needed any additional information and provided me with his phone number. After reading Conley's incident report I did not feel there was a need to contact him.

A brief description of the interaction is as follows:

Conley was out setting up a practice course for the sailing team. Sudofsky was on his 24' powerboat along with another male in the harbor as the day was warm and sunny. Sudofsky observed Conley setting markers and asked if there was a race or practice. Sudofsky felt Conley's response was "territorial" with his tone but then left the course area at a safe distance where they could watch the practice. Conley noted Sudofsky and the second male in his boat were drinking beer.

A short time later the sailors moved across the harbor and Sudofsky moved his boat over to the same area. Conley felt this was odd and did not recognize Sudofsky or the other male as a parent or "...having any connection to the team." He then proceed to go over to Sudofsky and find out if there was something he could help them with. Conley states he stated to Sudofsky it was a little creepy to have them there and if it had been a volleyball practice security would have been called. Sudofsky reports Conley said their actions were "pervy" and that the must be pedophiles.

It appears Sudofsky was out enjoying one of the first nice days with a friend and took acception to Conley's tone and choice of words. Conley, out of an abundance of caution for his high school male and female sailors, decided to interact with Sudofsky. Conley notes Sudofsky never was a hazard to his practice nor was he disruptive.

I advised Sudofsky he should address his displeasure with this interaction directly with the appropriate Tabor Academy administrators.

SUDOFSKY
STATEMENT

Incident Report 4.13.2023 - 3:30 PM – 4:00 PM

Description:

About 3:30PM Sudofsky and Mathieu drove 24' Seaway Slipican Harbor to Coach setting marks for racing to inquire whether a regatta was being set up or if he was planning a practice.

- Tabor Faculty answered our question with territorial tone: 'Can I help you?'

We immediately offered again.... 'hey, how are you? we are just wondering if you are setting up for a regatta or just running winward/ leeward drill practices today?'

- Tabor Faculty reply: 'Just practice'

We said thanks and turned to leave toward the course edge of what we saw as safe

- Tabor Faculty unpleasant reply: guys, can I help you with anything at all?

I said, you have already. Thanks.

About 4:00 PM Same coach leaves his sailors and drove his boat over to the course edge where we had been moving to watch drills.

Tabor Coach: 'I realize this is public water so I probably don't have any authority, but this is a little 'pervy' seeing two men out here watching kids sail, you must be pedophiles'. I got to tell you, if it was the volleyball coach ' he would already have security here'.

We told him to call the Police or the Harbor Master. I told him he must be out of his mind and that he has gone too far, and that we would be in touch with Tabor.

IN PRESENCE OF JEFF HUBERT -

NEVER ONCE DID COACH CLAIM A SAFETY CONCERN

File: Initially by email 4/13/2023. Attached file hand delivery Marion PD 4/17/2023

CHRIS CONLEY
STATEMENT

Thursday, April 13th, 2023

Varsity sailing practice, we were on the water and sailing by 3:45pm. We set up our drills in the inner harbor, sailing across on a line near the Harbor Master's Office and Barden's Boatyard.

As we began sailing, I noticed two gentlemen slowly cruising around the harbor in a white center console motorboat enjoying an absolutely beautiful day. It became clear that once our practice got going, they stopped and began watching the sailing. After a few minutes, I approached them in my coach boat. I did not recognize them as being parents or having any connection to the team, could see that they were drinking some beers and enjoying a taste of summer, so I asked if I could help them. They inquired if this were some sort of regatta, and I told them no, it was a high school practice, and asked again if I could help them. They basically ignored me at that point, and were well within their rights to be out on the harbor, so I motored away and rejoined the practice.

A few minutes later, as the practice moved across the harbor and closer to the eastern shore, the two men moved their boat closer, and continued to sit, drink their beers, and watch practice.

At no point were they being disruptive, and they were probably never closer than 50 feet from our boats. I was never alarmed, but found the whole situation to be unusual.

After about ten minutes, I motored back over to the gentlemen and again asked if I could help them. They politely asked if they were too close and suggested they could give some more room.

I am paraphrasing a little at this point, but I have the key wording correct.

I stated that they were perfectly within their rights to be on the harbor and that it was public space. I continued by saying, however, that it is just a little creepy to have two grown men sitting around, drinking beers, and watching a high school practice.

They retorted that it was not, that they were sailors just watching some sailing.

I stated again that they were within their rights to be here, but if this were a volleyball practice, the coaches would have already called security.

They told me to go ahead and call security, that I was right that there was nothing I could do, and then suggested that I find a way to fuck myself.

This got a little more heated than I was in the mood for, and they were not engaging directly with our sailors, and maintained a safe distance, so I moved away and rejoined the practice once again.

They lingered for another fifteen or twenty minutes, and then motored away. From start to finish, this whole thing lasted about forty-five minutes and was done by 4:30.