



Methuen Police Department

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Scott McNamara
Chief of Police

December 16, 2025

Re: Victim Impact Statement / Commonwealth vs. Sean Fountain

As the current Chief of the Methuen Police Department, I submit this victim-impact statement on behalf of the City of Methuen and every citizen it serves. The City is a direct and continuing victim of defendant Sean Fountain's sustained criminal conduct. From 2016 to 2020, while knowingly lacking any lawful authority to act as a police officer, Mr. Fountain arrested, searched, detained, and initiated criminal prosecutions against more than forty residents of the Commonwealth. These citizens were deprived of their liberty by an individual who obtained his position through fraud and who exercised police power only because others in positions of authority knowingly enabled and shielded him. The harm inflicted on those more than forty victims, on the integrity of this Department, and on public trust is immeasurable and ongoing. As far back as June 29, 2022, I placed the Essex District Attorney's Office on formal notice (via certified mail) that our internal investigation had established probable cause to believe Mr. Fountain was never academy-certified and that his unlawful actions had already tainted dozens of cases, a conclusion now conclusively corroborated by the U.S. Department of Homeland Security Forensic Laboratory, which has determined that the 1995 graduation certificate he submitted was a carefully crafted forgery.

Although the Court has received sentencing recommendations from both the Commonwealth and the defense, the City respectfully submits that Mr. Fountain's conduct demands a significant term of incarceration substantially exceeding even the prosecution's recommendation.

Mr. Fountain did not simply impersonate a police officer. He orchestrated and executed a years-long, sophisticated fraud at the highest levels of the Methuen Police Department. This was not a mere oversight or routine credential lapse (such as an officer missing in-service training, CPR, or firearms requalification, issues typically resolved remedially without intentional deception). Rather, this case involves far more nefarious conduct: a civilian candidate for a full-time police officer position who knowingly misrepresented in writing that he had graduated from a part-time police academy in 1995, fully aware that he had not completed any such academy training. More than three years into his full-time employment, when this falsehood was on the verge of being discovered, Mr. Fountain conspired with others to forge and submit a 1995 academy graduation certificate to perpetuate the fraud.

Fully aware that he possessed no lawful authority, he conspired with senior command staff to forge official credentials, corrupt the background-investigation process, and systematically conceal disqualifying facts. Through these deliberate acts, he deceived the former Mayor, the former City Council, the then-sitting

Governor of the Commonwealth, and indeed the entire Massachusetts Legislature into believing he was a qualified, academy-trained police officer. Once sworn in on the strength of those falsehoods, Mr. Fountain exercised the full powers of a police officer for more than three years, unlawfully arresting, searching, and initiating prosecutions against dozens of citizens who had every reason to trust the badge he fraudulently wore. Perhaps most egregiously, long after his full-time employment with the Methuen Police Department had been fully severed in July 2020, Mr. Fountain, knowing full well that his entire tenure had been completely fraudulent, testified as a prosecution witness in a homicide trial in the State of New Hampshire, that case being *State of New Hampshire v. Anderson Pereira* (Hillsborough Cty. Super. Ct. 2023), *aff'd*, No. 2023-0257 (N.H. Mar. 18, 2025). Upon information and belief, Mr. Fountain never disclosed to the prosecutors in that case the crucial fact that his sworn authority had been obtained through fraud.

This was not a solitary or impulsive crime. It was a calculated betrayal that required the active participation and protection of individuals in the Department's uppermost ranks. The conspiracy corrupted municipal hiring processes, undermined the integrity of city government, and inflicted lasting damage on public confidence in law enforcement. Most gravely, it directly violated the constitutional rights of every person Mr. Fountain falsely arrested. Conduct of this scope and severity far transcends a mere credential discrepancy or administrative oversight. It constitutes a profound assault on the rule of law and the civil rights of the citizens this Department is sworn to protect.

For these reasons, the City urges the Court to impose a substantial period of incarceration, at minimum the full term recommended by the Commonwealth, and ideally a sentence that fully reflects the depth of this conspiracy, the institutional corruption it required, and the enduring harm it has caused to the victims, the Methuen Police Department, and the community we serve.

Any plea resolution or recommendation by the Court should include a period of incarceration for the following reasons:

1. The City respectfully submits that Mr. Fountain has utterly failed to provide any meaningful cooperation that would warrant the Court granting him any sentencing benefit or leniency. True cooperation from Mr. Fountain would have identified and led to charges against other individuals who participated in this fraudulent scheme, individuals who, to date, remain uncharged co-conspirators in this matter or are separately indicted. It is inconceivable that Mr. Fountain acted alone in forging an official police academy graduation certificate. The counterfeit document was not a crude fabrication; it was carefully created by altering an authentic copy of a police academy graduation certificate belonging to a retired Methuen police officer, a certificate that had been removed from, and subsequently returned to, the official records of the Methuen Police Department. Access to and manipulation of those official records necessarily required the involvement of one or more insiders. As alleged in the related indictment of former Chief Joseph Solomon, he knew that the certificate submitted by Mr. Fountain was forged yet acted as if it was authentic and engaged in efforts to deceive others regarding Mr. Fountain's qualifications. Yet even when Mr. Fountain has purported to cooperate, the City has been led to understand from the Commonwealth that the information he has provided has been so inconsistent, contradictory, and ever-changing that prosecutors have been unable to rely upon it to pursue additional charges or fully resolve the broader scheme. Without Mr. Fountain's meaningful cooperation, those involved in the scheme may avoid full accountability for their roles. Under these circumstances, the City submits that no sentencing credit or leniency for "cooperation" is warranted.

2. The financial burden that Mr. Fountain's fraud has imposed and continues to impose on the taxpayers of Methuen is severe, entirely foreseeable, and twofold.

First, the City paid Mr. Fountain more than \$400,000 in salary, detail pay, hazard pay, clothing allowances, and other benefits for a position he was never legally qualified to hold. These public funds were diverted from lawful, Civil-Service-eligible candidates who followed the rules while Mr. Fountain circumvented them. Upon his termination in July 2020, Mr. Fountain, despite his lack of qualifications, received an additional gross payout exceeding \$25,000 for accrued leave to which he had no legitimate claim.

Second, adding further insult to injury, Mr. Fountain was initially laid off in July 2020 for reasons unrelated to his fraudulent credentials (which had not yet been discovered). Once the fraud came to light and his lack of qualifications was confirmed, he had the audacity to file a federal lawsuit against the City alleging wrongful termination and other claims. Defending against this meritless action has already cost the taxpayers nearly \$25,000 in out-of-pocket legal expenses, with the potential for significant additional costs if the litigation continues.

Mr. Fountain's criminal conduct, committed in concert with uncharged co-conspirators, has inflicted profound and lasting harm not only on the Methuen Police Department but on the entire community it serves. Effective policing depends first and foremost on the public's trust. For years, that trust has been eroded by the cloud of scandal created by Mr. Fountain and his accomplices. The overwhelming majority of Methuen officers, dedicated professionals who risk their lives daily, have been forced to labor under a stigma they did nothing to deserve. The Department does not merely hope for convictions in this case and the related prosecutions. It desperately needs them. Only guilty verdicts, accompanied by sentences that reflect the gravity of the betrayal, will demonstrate to the citizens of Methuen that the individuals who tarnished the badge are aberrations, not representatives, of this Department. Only such accountability will begin to repair the fracture in community confidence and allow the Department to move forward.

For these reasons, the City respectfully urges the Court to impose a sentence no less severe than that recommended by the Commonwealth. The citizens of Methuen, both the dozens of individuals subjected to unlawful arrests by a civilian masquerading as a police officer and the taxpayers who will bear the crushing financial consequences of this fraud, deserve nothing less than the full measure of justice.

Respectfully submitted,

/s/ *Scott J. McNamara*

Scott J. McNamara, Chief of Police
Methuen Police Department