



Charges Dismissed Against Massachusetts PI

IN A CLOSELY-WATCHED CASE INVOLVING QUESTIONABLE ARRESTS BY POLICE IN CAMBRIDGE, MASSACHUSETTS, A JUDGE HAS DISMISSED ALL CHARGES AGAINST AN INVESTIGATOR AND HIS WIFE.

Joseph Cadillic and his wife, Elissa, were arrested on May 30, 2009 and charged with breaking and entering and criminal trespass at Harvard University. At the time of their arrest, Cadillic was taking photographs of a Harvard University residence hall common area where a drug dealer had been shot to death two weeks before. Cadillic is employed by Nardizzi & Associates, Inc. who was assisting Simmons Agency, Inc. with research on how the murder intersected with drug dealing at Harvard University.

After reviewing a motion to dismiss filed by defense attorney William Crowe, and an objection filed by District Attorney Gerard Leone, District Court Judge Roanne Sragow allowed the defendants' motion. The Commonwealth has declined to appeal.

One apparent implication is that investigators may take photographs in residential common areas at universities without be-

ing subject to immediate arrest. Permission can be granted by an occupant of the residence hall floor. Investigators need not obtain permission of the owner.

A graduating Harvard College senior had admitted the Cadillics to Kirkland House J Entry and given them information about bullet holes and bloodstains she saw there after Justin "JCos" Cosby was shot to death on May 16.

Principals for Simmons Agency, Inc. and Nardizzi & Associates, Inc. expressed surprise that police arrested a licensed investigator under the circumstances. "The release of the photographs and narrative will help keep next years' students from becoming targets of predatory crime," according to Simmons Agency, Inc. principal Robert Simmons.

"Harvard University has attempted to restrict access to witnesses before, but not in court," said John Nardizzi.

The landmark Massachusetts case *Messing, Rudavsky & Weliky, P.C. v. President and Fellows of Harvard College* held that, despite Harvard's demand to control access, investigators may interview most employees--and former employees--of corporate defendants."

The arrest of the Cadillics seems to have been the result of an officer becoming irritated when Joe Cadillic refused to release the name of his client, noted Nardizzi. The lesson, for PIs, he said, is to recognize that "this whole case is an example of how the powers of arrest are misunderstood by police. Investigators do not have to provide the name of their client to the police. Sometimes we do, but we don't have to." **PI**

(ED. NOTE: INFORMATION PROVIDED BY A PRESS RELEASE FROM NARDIZZI & ASSOCIATES, IN . AND A BRIEF INTERVIEW OF JOHN NARDIZZI. CONTACT: NARDIZZI & ASSOCIATES, INC. (781) 596-8200; SIMMONS AGENCY, IN . 1-800-237-8230)