



**MELISSA W. NELSON
STATE ATTORNEY**

August 27, 2018

TO WHOM IT MAY CONCERN:

In late 2017, the State Attorney's Office, together with the Nassau County Sheriff's Office ("NCSO"), began an investigation of NCSO Deputy Kyle Tholl ("Tholl"). This investigation involved allegations that Tholl, when arresting individuals for drug offenses, failed to first accurately identify the drug as an illegal controlled substance or failed to conduct the required presumptive test to confirm that the drug was an illegal controlled substance.

Based on the results of the investigation, it was determined that in five separate arrests, Tholl either failed to properly identify the drug as an illegal controlled substance or failed to properly conduct the required presumptive test to confirm that the drug was an illegal controlled substance. As a result, Tholl was fired from NCSO, arrested, and prosecuted by the State Attorney's Office. Tholl has voluntarily surrendered his law enforcement certification as a condition of the resolution of his criminal case.

As part of the investigation, NCSO identified every controlled substance arrest made by Tholl since he was hired in 2015. You have been identified through that process as someone who Tholl arrested for a controlled substance offense. The purpose of this letter is to advise you of Tholl's arrest and prosecution and to extend to you the opportunity to request that the State Attorney's Office review your prosecution, if the prosecution resulted in you pleading guilty or being found guilty of a controlled substance offense and you do not believe the drug was an illegal controlled substance.

If, after being arrested by Tholl, you were prosecuted and found guilty of a controlled substance offense, but believe that you were wrongfully convicted of the offense, you are encouraged to submit a petition to the State Attorney's Office's Conviction Integrity Review Unit. You can review the instructions for submitting a

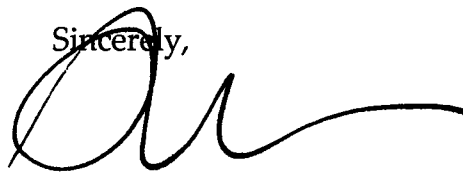
petition on the Office's website at the following internet address:
<https://www.sao4th.com/about/programs-and-initiatives/conviction-integrity-review/>.

Please be advised that as part of this review, we have verified that the drugs related to your prosecution are still available for further testing and identification. Thus, the State Attorney's Office has the ability to determine whether the drug you were prosecuted for was an illegal controlled substance.

If you believe the drug for which you were prosecuted was NOT an illegal controlled substance, please complete and submit the required petition **on or before November 1, 2018**.

Upon receipt of your request, the State Attorney's Office, together with Nassau County Sheriff's Office, will conduct a further review of your case, to determine whether you were, in fact, guilty of the drug offense for which you were found guilty.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shelley L Thibodeau', with a long horizontal flourish extending to the right.

Shelley L Thibodeau
Director, Conviction Integrity Review