

01-23-93

Surveillance by [REDACTED] and [REDACTED]:

12 Midnight, Sgt. O'Geen went to [REDACTED]. [REDACTED]. Parked patrol vehicle at gas pumps in front of the business and then entered [REDACTED].

12:29 A.M.: Sgt. O'Geen left [REDACTED]. [REDACTED].

2:00 A.M.: Sgt. O'Geen went to the Village Hall and stayed until 2:37A.M., leaving the Municipal Bldg. after the ambulance left with a possible overdose patient.

Surveillance by [REDACTED] and [REDACTED]:

4:13 A.M.: Sgt. O'geen's patrol vehicle parked facing east on the north side of his residence in his driveway, nobody in patrol vehicle.

4:17 A.M. Sgt. O'Geen requested the dispatcher to start a CR Card (930427), told the dispatcher he would look for the individual mentioned, and would find him a place to stay.

Sgt. O'Geen never left his residence until 5:54 A.M., and yet fictitiously filled in the CR Card that he was unable to locate Mr. [REDACTED].

5:54 A.M. Sgt. O'Geen left his residence and drive directly to the Vill. Hall, arriving at 5:56 A.M.

6:40 A.M. as of this time Sgt. O'Geen had not left the office at all, therefore, broke off surveillance.

POSSIBLE VIOLATIONS

- Section 2.1 Gen. Duties, (did not patrol)
- 2.14 Assistance to Citizen not rendered
- 2.18 Loitering, Sleeping or Congregating on Duty
 - loitering or sleeping at home?
 - loitering at Gen. Farms
- 2.19 Conducting Private Business On Duty, (at Gen. Farms)
- 5.1 Sub (a & c) Altering, Delaying or Falsifying Reports
- 6.2 Supervisors: must provide a good example...
- G.O. 470: Block #7, calls for officer to fill in the action taken, (this officer did not ans. the complaint therefore should have filled in "did not respond" or something of this nature.
- G.O. 540: Responsible to complete all calls prior to end of tour
- ART.VI SECT.1. lied on CR Card when he said unable to locate.

01-27-93

Surveillance by Chief [REDACTED] and Vill. Admin. [REDACTED]

4:03 A.M. Both patrol vehicles at the Village Hall, (third patrol vehicle was out of service for transmission work at [REDACTED].

4:20 A.M. Returned to vicinity of the Village Hall and both patrol vehicles were still there.

(juvenile robbery suspect was in custody and being held at the Village Hall until Family Court was in session. Officer [REDACTED] was kept over on overtime to watch the juvenile, and Sgt. O'Geen never left the officer for patrol duty)

6:26 A.M. Sgt. O'Geen walked out of the municipal bldg. to his patrol vehicle, got a flashlight and something else unk. out of the patrol vehicle then walked directly back into the municipal bldg.

6:50 A.M. Broke off surveillance

POSSIBLE VIOLATIONS

Section 2.1 Gen. Duties (failure to patrol)

2.18 Loitering, Sleeping or Congregating on Duty

6.2 Supervisor, failed to provide good example

(Officer [REDACTED] assigned overtime to watch juvenile robbery suspect in custody and Sgt. O'Geen never went out on patrol and therefore set poor example as a supervisor)

01/29-30/93

Surveillance by [REDACTED] and [REDACTED]

11:13 P.M. Sgt. took Lt. [REDACTED] home

11:25 P.M. Sgt. went to the Village Hall

12:08 A.M. Sgt. left the office

12:10 A.M. Sgt. left parking lot of Vill. Hall headed west on Rt. 5.

12:12 A.M. Sgt. O'Geen parked his patrol veh. at the gas pumps at [REDACTED]. [REDACTED] and went into [REDACTED]. [REDACTED] without calling out of service as required.

12:34 A.M. Officer [REDACTED] met Sgt. O'Geen at [REDACTED]. [REDACTED], assume to speak to Sgt. about a fight [REDACTED] [REDACTED] had been in.

12:57 A.M. Both Sgt. O'Geen and Off. [REDACTED] left [REDACTED]. [REDACTED] and Sgt. O'Geen went out to check [REDACTED].

Sgt. left [REDACTED] and went east to Rt. 19 then proceeded north to Rt. 490, took Rt. 490 to Bergen exit, 1:11 A.M.

1:22 A.M. Sgt. met with [REDACTED] municipal lot at [REDACTED]

1:25 A.M. Meeting over between Sgt. and [REDACTED] Sgt. headed east on Rt. 5.

1:25 A.M. Followed Sgt. east on Rt. 5 to Caledonia.

1:32 A.M. Sgt. turned around at the old [REDACTED] [REDACTED] in Caledonia and headed west back toward LeRoy.

1:39 A.M. Sgt. arrived back in LeRoy.

1:57 A.M. Unable to locate Sgt. in Vill.

2:07 A.M. Located Sgt. north bound on Rt. 19, Clay St.

2:08 A.M. Sgt. went to the office.

3:45 A.M. Sgt. left office, ran across parking lot to patrol car then ran back into the office.

4:14 A.M. At complaint, failed to call 10-23.

4:28 A.M. Sgt. O'Geen at home. Patrol veh. parked on the north side of his residence, facing east, behind two other veh.

Sgt. did not call out when he went home.

Doors never checked for the night.

5:16 A.M. barking dog complaint called in. Dispatcher [REDACTED] never called Sgt. via radio which indicates the dispatcher knew Sgt. had gone home!

5:38 A.M. Last saw Sgt. at his residence.

5:41 A.M. Sgt. arrived at [REDACTED] St. on dog complaint.

5:52 A.M. Sgt. to the office

6:17 A.M. Sgt. on a call to [REDACTED] Ave.

POSSIBLE VIOLATIONS

G.O. 540 sub. III-G, Failure to call out of service

Sect. 2.18 Loitering on duty

2.19 Conducting Private Bus. on duty, (Gen. Farms)

2.10 Leaving area of assignment, (Bergen)

2.10 Leaving area of assignment, (Caledonia)

2.1 Gen. Duties (failure to patrol from 2:08 A.M.-
3:45 A.M.)

2.1 Gen. Duties, failure to patrol, (went home at 4:28 A.M.
until 5:38 A.M.)

G.O. 540 sub. III-G, failure to call out when he went home

ALSO POSSIBLE VIOL. OF CLAUSE IN CONTRACT THAT REGULATES BREAKS AND LENGTH THEREOF.

02-03-93 4:00 A.M.

Surveillance by [REDACTED]

4:03 A.M. Sgt. parked in front of side door in NO PARKING ZONE

4:09 A.M. Sgt. left office with [REDACTED]

4:13 A.M. Sgt. O'Geen out at his residence

4:54 A.M. Blue full size pick-up pulled into Sgt's. driveway

4:56 A.M. Sgt. O'Geen walking with unknown person from his residence toward his patrol vehicle.

4:57 A.M. Sgt. O'Geen left his residence, headed north on [REDACTED], looks like he pulled into [REDACTED].

5:06 A.M. Sgt. back at his residence, did not call out.

5:29 A.M. Sgt. O'Geen back in patrol vehicle, alarm at [REDACTED].

6:04 A.M. Sgt. to office

6:41 A.M. Left office with emergency lights on, headed east on [REDACTED].

POSSIBLE VIOLATIONS

G.O. 540 SUB III-G failure to call out at home at 4:13 A.M. until 4:56 A.M.

G.O. 540 failure to call out at 5:06 A.M. when he went back home, & stayed until 5:29 A.M.

Sect. 2.1 Gen. Duties, failure to patrol at above times.

02-04-93

Surveillance by [REDACTED] and [REDACTED]

4:00 A.M. Picked up Lt. [REDACTED]

4:26 A.M. Sgt. to the office and parked in NO PARKING ZONE

4:38 A.M. Sgt. took [REDACTED] home

4:48 A.M. Sgt. parked in his driveway behind two other vehicles getting out of patrol vehicle.

5:38 A.M. Sgt. left his residence

5:54 A.M. Sgt. to office

6:38 A.M. Sgt. left office for complaint

6:40 A.M. broke off surveillance

POSSIBLE VIOLATIONS

G.O. 540 sub III-G Failure to call out at home at 4:48 A.M. until 5:38 A.M.

Sect. 2.1 Gen. Duties, failure to patrol during above time

02/05/93 - 02/06/93

Surveillance by [REDACTED] and [REDACTED]

11:51 P.M. Sgt. in [REDACTED], [REDACTED] St., did not call out as required.

2/6/93

12:05 A.M. Out at [REDACTED] [REDACTED] did not call out as required

Assault call, perpetrator may be on [REDACTED] St., but Sgt. did not leave [REDACTED] [REDACTED] to assist in looking for suspect.

12:37 A.M. Sgt. left [REDACTED]. [REDACTED]

12:55 A.M. Sgt. out of his patrol veh. at the [REDACTED], patrol veh. left running with windshield wipers on. Sgt. did not call out at this location as required.

1:10 A.M. L.P.-10 attempted to call Sgt. via radio at least six times, Sgt. did not answer

L.P.-10 called L.P.-6, 6 answered

1:23 A.M. Dispatcher called L.P.-4 (Sgt.) several times, Sgt. did not answer.

1:27 A.M. L.P.-6 attempts to call L.P.-4, no answer
L.P.-6 tells dispatch to continue to call L.P.-4

1:30 A.M. Dispatch calls for L.P.-4

1:37 A.M. L.P.-10 calls L.P. -4
Dispatch calls L.P.-4

1:44 A.M. L.P.-4 returns to his patrol vehicle

1:45 A.M. Sgt. (L.P.-4 returns to office)
came back out and talked on the radio as though he must have had radio problems, and that is why he did not hear anyone calling him.

3:05 A.M. took [REDACTED] home.

3:10 A.M. Checked doors on [REDACTED] St., open door [REDACTED].

3:50 A.M. Returned to the Village Hall

6:35 A.M. Walked out to his patrol car, stayed about 30 seconds then went back into the Vill. Hall.

6:40 A.M. Stopped surveillance.

POSSIBLE VIOLATIONS

2/5/93 11:51 P.M., failure to call out at [REDACTED]

2/6/93

G.O. 540 Failure to call out of service at [REDACTED] from 12:05 A.M. until 12:37 A.M.

Sect. 2.1 Gen. Duties, failure to patrol during above time

G.O. 540 Failure to call out of service at [REDACTED] from 12:55 A.M. until 1:44 A.M.

Sect. 2.1. Gen. Duties, failure to patrol during above time

Sect. 2.1. Gen. Duties, failure to patrol when he went to the office from 3:50 A.M. until 6:40 A.M.

02/10/93

Sgt. O'Geen submitted the attached memo to Chief at 2:45 P.M. in response to memo from Chief requesting an explanation as to what was problem with radio, why couldn't he hear units calling him on Feb. 5 & 6, 1993.

The reason why Sgt. did not hear units calling him was because he was out at the [REDACTED] and not in his patrol vehicle.

Therefore, the Sgt's. attached memo is a lie! (where he states he patrolled and did not come to the office until 1:45 A.M.

CONTRACT

Article VI Sect. I: the employer shall have the right to discharge any employee without any warnings for just cause including but not limited to:

1. Dishonesty

Any such discharge shall be subject to the grievance procedure.

930427

LERoy DISPATCH OFFICE

DISPATCH CARD

Location of Incident

CRAIGIE ST.

Nature of Incident

SPECIAL ATTENTION

Geo Code

Complainant's Name

LP4

Address

Phone

Remarks:

GS-35 DROPPED OFF A [REDACTED] AT [REDACTED] TO STAY WITH A FRIEND, MR. [REDACTED] HAD BEEN INVOLVED IN DOMESTIC AND WAS INTOX.

Back-up Cars

O.I.C.

LP4

Ambulance(s)

Fire Service(s)

Tow(s)

Received By

LP28

Dispatched By

LP28

Officer Assigned

LP4

Incident Code

55.32

Action Code

RADI

Reviewed By

Additional Remarks:

MR. [REDACTED] FRIEND WAS NOT HOME.

MR. [REDACTED] TOLD DEPUTY HE WOULD GO DOWNTOWN AND TRY TO FIND HIS FRIEND, TIME WAS 04:17.

DEPUTY DEPARTED, UNABLE TO LOCATE [REDACTED]

5:55 A.M. Subject came to office to use phone. We allowed him to use phone.

23 JAN 93 04:17

TIME DISPATCHED

TIME OF ARRIVAL

23 JAN 93 04:17

TIME RECEIVED

TIME COMPLETED

Handwritten initials

Received 2/10/93

2:45 P.M.

Copy

TO: CHIEF [REDACTED]
FROM: SGT. A. P. O'GEEN
SUBJECT: RADIO MALFUNCTION
DATE: FEBRUARY 9, 1993

Chief in response to your request about my having radio problems on February 5th and 6th. I was operating car #15 and did not have my portable radio on in the vehicle. Shortly after 11:00P.M. My self and Patrolman [REDACTED] answered a loud party complaint above the [REDACTED] on [REDACTED] St. I parked in front of the [REDACTED] and had to call out several times before Dispatcher [REDACTED] answered me. Upon getting back into the vehicle again I called several times before I was heard. I took Patrolman [REDACTED] home where he had to call several times before he was heard. The last time I recall using the radio I called for a License check. [REDACTED] patrolled and did not come into the office until about 1:45A.M. when I was advised by Dispatcher [REDACTED] that he had been trying to contact me on the radio and that the Sheriff Department was in route to assist in looking for me. I went out to my vehicle and using my portable called and had Dispatcher [REDACTED] call me. I was unable to hear him on the car radio but did hear him on the portable. When I transmitted on the car radio I was told that I was transmitting on Le Roy Inv. channel. I turned the car radio off and on and transmitted again and that time I was on the proper channel. It is unknown to me how my radio changed frequencies.

As for the log in the dispatch office I have not seen it or know where it might be.

12:05A - Called for data

Pay Bills:
Action by Trustee Persons to pay bills as presented. Seconded by
Trustee [redacted] and carried 5-0.

Establish Budget Hearing Date - April 14, 1993

Administrator Smith distributed copies of the preliminary FY
1993-'94 to the Board for their information and review. The Board
members will review the budget and meet at 7:00 P.M. on April 2 and
April 5, 1993 for budget work sessions.

Motion by Trustee Persons to establish Wednesday, 7:30 P.M., April
14, 1993 in the Courtroom 200 of the LeRoy Municipal
Building as the time and place to hold a public hearing to hear
questions and comments concerning the Village's proposed fiscal
year 1993-'94 budget. Seconded by Trustee Persons and carried 5-0.

Motion by Trustee [redacted] to move into executive session to
discuss a police personnel matter. Seconded by Trustee [redacted]
and carried 5-0.

Motion by Trustee [redacted] to move out of executive session.
Seconded by Trustee [redacted] and carried 5-0.

Terminate Police Officer Anthony O'Geen:

* Motion by Trustee [redacted],

WHEREAS, it has come to the attention of the Village of LeRoy
Board of Trustees that Police Officer Anthony Paul O'Geen has
violated the LeRoy Police Department Rules and Regulations,
General Orders, and the terms of the Agreement between the
Village of LeRoy Police Department and the Service Employees'
International Union Local 200-C, AFL-CIO.

NOW THEREFORE BE IT RESOLVED, that Anthony Paul O'Geen is hereby
discharged as a result of violations of the LeRoy Police
Department Rules and Regulations, General Orders, and the terms
of the agreement between the Village of LeRoy Police Department
and the Service Employees' International Union Local 200-C, AFL-
CIO. Seconded by Trustee [redacted] and carried 5-0.

Authorized Purchase of Portable Computer:
Action by Trustee Persons to purchase of a portable
computer for the Administrator at a cost not to exceed \$1,150.00
with the following items to be charged: \$100.00; \$100.00; \$100.00;
\$100.00; \$100.00; \$100.00; \$100.00; \$100.00;
Seconded by Trustee Persons and carried 5-0.

March 24, 1993

Anthony Paul O'Geen

██████████
LeRoy, NY 14482

Dear Mr. O'Geen:

You are hereby notified that you are discharged as the result of your violations of Rules and Regulations, General Orders and the Union Contract. These are specified below:

CHARGE 1 - VIOLATION OF RULES AND REGULATIONS. SECTION 2.1

Specification 1 - You did not patrol the night of January 23, 1993 in that your vehicle was parked at ██████████ from 12:00 midnight to 12:29 a.m.

Specification 2 - You failed to patrol when your vehicle was parked at the Village Hall from 2:00 a.m. to 2:37 a.m. on January 23, 1993.

Specification 3 - You failed to patrol when your vehicle was parked at your residence from 4:13 a.m. to 5:54 a.m. on January 23, 1993.

Specification 4 - You failed to patrol when your vehicle was again parked at the Village Hall from 5:56 a.m. to 6:40 a.m. on January 23, 1993.

Specification 5 - You did not patrol on the night of January 27, 1993 in that your vehicle was parked at the Village Hall from 4:03 a.m. to 6:50 a.m.

Specification 6 - On the night of January 29, 1993 you failed to patrol from 2:08 a.m. to 3:45 a.m. when you were in the Police Department office

Specification 7 - On the night of January 29, 1993 you failed to patrol from 4:28 a.m. to 5:38 a.m. when you were at your residence.

Specification 8 - On the night of February 3, 1993 you failed to patrol from 4:13 a.m. to 4:56 a.m. when you were at your residence.

Specification 9 - On the night of February 3, 1993 you failed to patrol from 5:06 a.m. to 5:29 a.m. when you were at your residence.

Specification 10 - On the night of February 4, 1993 you failed to patrol from 4:48 a.m. to 5:38 a.m. when you were at your residence.

Specification 11 - On the night of February 6, 1993 you failed to patrol from 12:05 a.m. to 12:37 a.m. when you were at [REDACTED].

Specification 12 - On the night of February 6, 1993 you failed to patrol from 12:55 a.m. to 1:44 a.m. when you were at the [REDACTED].

Specification 13 - On the night of February 6, 1993 you failed to patrol from 3:50 a.m. to 6:40 a.m. when you were at the LeRoy Police Department Office.

CHARGE 2 - VIOLATION OF RULES AND REGULATIONS, SECTION 2.14

Specification 1 - On the night of January 23, 1993 you did not render assistance to a citizen, [REDACTED], in that your vehicle was parked at your residence from 4:13 a.m. to 5:54 a.m.

Specification 2 - On the night of January 23, 1993 you did not respond to the complaint involving Mr. [REDACTED] in that you did not leave your residence from 4:13 a.m. to 5:54 a.m.

CHARGE 3 - VIOLATION OF RULES AND REGULATIONS, SECTION 2.18

Specification 1 - On the night of January 23, 1993 your vehicle was parked at [REDACTED] from 12:00 midnight to 12:29 a.m. and you are charged with loitering on duty.

Specification 2 - On the night of January 23, 1993 your vehicles was parked at your residence from 4:13 a.m. to 5:54 a.m. and you are charged with not performing your assigned duties.

Specification 3 - On the night of January 27, 1993 you did not leave the Police Department and are charged with loitering on duty.

Specification 4 - On the night of January 29, 1993 you were at [REDACTED] from 12:12 a.m. to 12:57 a.m. and are charged with loitering.

Specification 5 - On the night of January 29, 1993t you were at your residence from 4:28 a.m. to 5:38 a.m. and are charged with loitering.

CHARGE 4 - VIOLATION OF RULES AND REGULATIONS, SECTION 2.19

Specification 1 - On the night of January 23, 1993 your vehicle was parked at [REDACTED] from 12:00 midnight to 12:29 a.m. and you are charged with not performing official police department business.

Specification 2 - On the night of January 29, 1993 your vehicle was parked at [REDACTED] from 12:12 a.m. to 12:57 a.m. and you are charged with not performing official police department business.

CHARGE 5 - VIOLATION OF RULES AND REGULATIONS, SECTION 2.10

Specification 1 - On the night of January 29, 1993 you left your area of assignment at 12:57 a.m. by driving from [REDACTED] to Route 19 to Route 490 Bergen exit at 1:11 a.m.

Specification 2 - On the night of January 29, 1993 you left your area of assignment at 1:25 a.m. by driving East on Route 5 to Caledonia and turning around at the [REDACTED] in Caledonia.

CHARGE 6 - VIOLATION OF RULES AND REGULATIONS, SECTION 5.1, Sub (a & c)

Specification 1 - On the night of January 23, 1993 you filled out a Complaint Report that you were unable to locate an individual, Mr. [REDACTED] and you are charged with falsifying the report in that you did not leave your residence from 4:13 a.m. to 5:54 a.m. to look for Mr. [REDACTED].

CHARGE 7 - VIOLATION OF RULES AND REGULATIONS, SECTION 6.2

Specification 1 - You are charged with not providing a good example by your conduct on the night of January 23, 1993.

Specification 2 - On the night of January 27, 1993 Officer [REDACTED] was assigned overtime to watch a juvenile robbery suspect in custody and you never went out on patrol and therefore you are charged with setting a poor example as a supervisor

CHARGE 8 - VIOLATION OF GENERAL ORDER 470

Specification 1 - Block 7 of the complaint report requires you to fill in action taken. On January 23, 1993 you did not answer the complaint and therefore should have filled in "did not respond".

CHARGE 9 - VIOLATION OF GENERAL ORDER 540

Specification 1 - You did not complete all calls prior to the end of your tour on January 23, 1993

Specification 2 - You are charged with violating sub III-G in that you failed to call out of service when on January 29, 1993 you parked your patrol car and went into [REDACTED] without calling out of service.

Specification 3 - On the night of January 29, 1993 you went to your residence at 4:28 a.m. to 4:38 a.m. and failed to call out of service.

Specification 4 - On the night of February 3, 1993 you failed to call out when you were at home from 4:13 a.m. to 4:56 a.m.

Specification 5 - On the night of February 3, 1993 you failed to call out when you were at home from 5:06 a.m. to 5:29 a.m.

Specification 6 - On the night of February 4, 1993 you failed to call out when you were at home from 4:38 a.m. to 5:38 a.m.

Specification 7 - On the night of February 5, 1993 you failed to call out when you were at [REDACTED] at 11:51 p.m.

Specification 8 - On the night of February 6, 1993 you failed to call out when you were at [REDACTED] from 12:05 a.m. to 12:37 a.m.

Specification 9 - On the night of February 6, 1993 you failed to call out when you were at the [REDACTED] from 12:55 a.m. to 1:44 a.m.

CHARGE 10 - DISHONESTY

Specification 1 - You falsified the Complaint Report when you said you were unable to locate an individual, Mr. [REDACTED], in that you did not leave your residence on January 23, 1993, from 4:13 a.m. to 5:54 a.m. and you did not attempt to locate this individual.

CHARGE 11 - FAILURE TO FOLLOW DEPARTMENT PROCEDURES AND UNAUTHORIZED BREAKS

Specification 1 - On the night of January 29, 1993 you violated the union contract regarding breaks and length thereof.

CHARGE 12- FALSIFICATION OF POLICE BUSINESS RECORDS

Specification 1 - You submitted the attached memo on February 10, 1993 explaining why you did not respond to radio calls on February 5 and 6, 1993. This attached memo is dishonest in that it is untrue. You were out of your vehicle at the [REDACTED], [REDACTED] Street, LeRoy, New York at the time your subordinates were attempting to reach you by radio.

According to the terms of the Agreement between the Village of LeRoy Police Department and the Service Employees International Union Local 200-C AFL-CIO, there is a grievance procedure outlined for your use if desired.

[REDACTED]
Chief of Police
Village of LeRoy

LOCAL NO. _____

**SERVICE EMPLOYEES' INTERNATIONAL UNION, AFL-CIO
WRITTEN GRIEVANCE FORM**

Grievant A.P. O'GEEN Date 03/25/93
Employer VILLAGE OF LEROY Employment Date 07/19/76
Job Title POLICE SERGEANT Department LEROY POLICE DEPARTMENT

I hereby submit this Written Grievance after orally talking it up with
CHIEF [REDACTED] on 03/25/93
(Foreman) (Date)

Article and Section of Agreement allegedly violated SIX ONE
(Article) (Section)

Nature of Grievance: THAT ON MARCH 24, 1993 THE VILLAGE OF LEROY DID TERMINATE MY EMPLOYMENT AS A POLICE OFFICER IN THE LEROY POLICE DEPARTMENT. IT IS OUR POSITION THAT THIS TERMINATION WAS WITHOUT JUST CAUSE.

Settlement Desired: REINSTATEMENT TO POSITION WITHOUT PENALTY.

Step II
Submitted [REDACTED] 3-25-93 Received Village of Leroy [REDACTED] 3/25/93
(Employee) (Date) (Company) (Date)
[REDACTED] 3-25-93
(Union Rep.) (Date)
ADM - CLERK / TREAS.

Disposition The charges of violating the Rules and Regulations and General Orders of the LeRoy Police Department and Article 6 of the Contract are of such a serious nature that termination of the employee is with just cause and termination shall remain in effect.

Village of Leroy [REDACTED] 3/26/93
(Company) (Date)
ADM / Clerk / TREAS.

Step III
Request for resubmission because: _____

(Union Rep.) (Date) Received (Company) (Date)

Disposition _____

(Company) (Date)

Step IV
Request for submission to arbitration: _____
(Union) (Date)

LOCAL NO. _____
SERVICE EMPLOYEES' INTERNATIONAL UNION, AFL-CIO
WRITTEN GRIEVANCE FORM

Grievant A.P. O'GEEN Date 03/25/93
Employer VILLAGE OF LEROY Employment Date 07/14/76
Job Title POLICE SERGEANT Department LEROY POLICE DEPARTMENT

I hereby submit this Written Grievance after orally talking it up with
CHIEF [REDACTED] on 03/25/93
(Foreman) (Date)

Article and Section of Agreement allegedly violated SIX
(Article)

Nature of Grievance: THAT ON MARCH 24, 1993 THE VILLAGE OF LEROY TERMINATED
MY EMPLOYMENT AS A POLICE OFFICER IN THE LEROY POLICE
DEPARTMENT. IT IS OUR POSITION THAT THIS TERMINATION WAS
WITHOUT JUST CAUSE.

Settlement Desired: REINSTATEMENT TO POSITION WITHOUT PENALTY

Step II
Submitted [REDACTED] 3-25-93 Received [REDACTED]
(Employee) (Date) (Company)
[REDACTED] 3-25-93
(Union Rep.) (Date)

Disposition _____

(Company) (Date)

Step III
Request for resubmission because: Termination too severe. Not satisfied with
response.

(Union Rep.) (Date) Received _____
(Company) (Date)

Disposition _____

(Company) (Date)

Step IV
Request for submission to arbitration: [REDACTED] 3/25/93
(Union) (Date)

SERVICE EMPLOYEES

INTERNATIONAL UNION, AFL-CIO, CLC

2495 KENSINGTON AVE. • BUFFALO, NY 14226 • (716) 631-8940



[Redacted]
Vice-President

[Redacted]
Secretary-Treasurer

[Redacted]
Recording Secretary

[Redacted]
Sgt.-at-Arms

LOCAL 200-C

April 14, 1993

[Redacted]
President

Village of Leroy
Leroy, New York
14482

RE: Settlement of Grievance [Redacted]
Grievant A.P. O'Geen

Dear Mr. Smith:

The following shall serve as a settlement in lieu of Arbitration in the above referenced matter, the terms of the settlement are as follows:

1. As a term and condition of settlement Mr. O'Geen will be allowed to submit his resignation of employment from the Village of Leroy Police Department, retroactive as of March 24, 1993.

2. This settlement shall be without precedent and prejudice, and in no means is an admission of guilt and/or wrongdoing by the parties entering the agreement.

3. It is agreed between S.E.I.U. Local 200-C and the Village of Leroy that Mr. O'Geen will receive payment in full for accumulated compensatory time (144.5 hours) and accumulated vacation time of twenty four (24) days.

4. It is agreed between S.E.I.U. Local 200-C and the Village of Leroy that Mr. O'Geen will receive seventy five percent (75%) of his accumulated sick leave days, this amounts to seventy (70) days at the current rate of pay.

5. Signatures of the representatives indicate full and complete resolution of this matter, therefore grievance #53204 is hereby resolved.

[Redacted Signature]
S.E.I.U. Representative

[Redacted Signature]
A.P. O'Geen, Grievant

[Redacted Signature]
Village of Leroy Adm.

[Redacted Signature]
Village of Leroy Mayor

* Motion by Trustee [REDACTED] to agree to the settlement in lieu of arbitration proposed by A.P. O'Geen in settlement of grievance # [REDACTED] as follows:

1. As a term and condition of settlement Mr. O'Geen will be allowed to submit his resignation of employment from the Village of LeRoy Police Department, retroactive as of March 24, 1993.
2. This settlement shall be without precedent and prejudice, and in no means is an admission of guilt and/or wrongdoing by the parties entering the agreement.
3. It is agreed between S.E.I.U. Local 200-C and the Village of LeRoy that Mr. O'Geen will receive payment in full for accumulated compensatory time (144.5 hours) and accumulated vacation time of twenty four (24) days.
4. It is agreed between S.E.I.U. Local 200-C and the Village of LeRoy that Mr. O'Geen will receive seventy five percent (75%) of his accumulated sick leave days, this amounts to seventy (70) days at the current rate of pay.

Seconded by Trustee [REDACTED] and carried 4-0.

Approve Contract Agreement Between Village and Police Union S.E.I.U. Local 200-C, April 14, 1993

Motion by Trustee [REDACTED] to approve a three year contract agreement between the Village and Police Village Police, S.E.I.U. Local 200-C, AFL-CIO as outlined in the tentative agreement dated April 8, 1993. Wages to increase 3% for fiscal year 1993 - 94 with wages and uniform allowances to be reviewed for FY 1994 - 95 and 1995 - 96. Seconded by Trustee [REDACTED]

Establish Cable Television Regulation Committee and Approve the Settlement - LeRoy, Illinois

Motion by Trustee [REDACTED]

WHEREAS, the Village Board has the right and power on behalf of the Village to grant franchises providing for or involving the use of the streets and to give the consent of the Village to any franchise for or relating to the occupation or use of the streets; and

WHEREAS, pursuant to the National Cable Communications Policy Act of 1984 (Cable Policy Act), the Board has the authority to grant cable television franchises and regulate thereof on behalf of the Village; and



Village of Le Roy

INCORPORATED IN 1834
LE ROY, NEW YORK 14482

716-768-2527

Fax: 716-768-4549

May 5, 1993

[REDACTED]
Attn: [REDACTED]

Re: Anthony Paul O'Geen

PERSONAL AND CONFIDENTIAL

Dear Mr. [REDACTED]:

This letter is response to your request and letter dated April 29, 1993.

I enclose a copy of the charges against Mr. O'Geen which include the rules which have been violated.

In lieu of the attached charges Mr. O'Geen was allowed to resign at his request after previously having been fired.

Sincerely,

[REDACTED SIGNATURE]
Village Administrator
Clerk-Treasurer

[REDACTED]
Encs.

THE LEROY POLICE DEPARTMENT ENCOURAGES CITIZENS TO REPORT LEGITIMATE COMPLAINTS AGAINST EMPLOYEES OF THIS DEPT. AS A RESULT, A THOROUGH, IMPARTIAL AND CONFIDENTIAL INVESTIGATION WILL BE CONDUCTED. IF THIS COMPLAINT LEADS TO A FORMAL CIVIL SERVICE HEARING, YOU WILL BE NOTIFIED AND INVITED TO PARTICIPATE IN THE HEARING PROCESS.

DATE OF REPORT: 4/17/94 TIME: 2200 CR NUMBER: 941971 1 OF 2

COMPLAINANT: [REDACTED] BIRTHDATE: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE: (HOME) [REDACTED] (BUSINESS) [REDACTED] (OTHER) [REDACTED]

EMPLOYMENT: [REDACTED] ADDRESS: [REDACTED]

DATE OF INCIDENT: 4/17/94 TIME: 2200 LOCATION: IN PATROL CAR

COMPLAINT TYPE: USE OF FORCE PROCEDURAL PROPERTY
HOW RECEIVED: IN PERSON LETTER PHONE

DETAILS OF COMPLAINT: THAT OFFICER CONDIPORIO STATED TO [REDACTED] (SON OF COMPLAINANT) "IF YOU THOUGHT [REDACTED] HEAD LOCKER TERRIBLE WAIT TILL I GET THROUGH WITH YOU." DURING A CONVERSATION IN CAR 13 WHEN OFFICER CONDIPORIO WAS TRANSPORTING [REDACTED] HOME AFTER ISSUING [REDACTED] AN APPEARANCE TICKET FOR CRIMINAL CONTEMPT AND.

PERSONNEL COMPLAINED OF: NAME OR GIVE PHYSICAL DESCRIPTION, BADGE #, ETC.

PATROLMAN J. J. CONDIPORIO, LP-08

WITNESS INFO: (NAME, AGE, ADDRESS, TELEPHONE, EMPLOYMENT)

NOTE: PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK, ANY INCORRECT OR FALSE STATEMENT ATTRIBUTED TO YOU AND CONTAINED HEREIN IS PUNISHABLE AS A CLASS A MISDEMEANOR.

COMPLAINANTS SIGNATURE: [REDACTED] DATE: 4-17-94

COMPLAINT RECEIVED BY: [REDACTED] BADGE #: LP-09

ADDENDUM

A CONTINUATION OF A

CITIZEN COMPLAINT

AGAINST
POLICE
REPORT

2.
CR
#

3. VICTIM'S NAME (LAST, FIRST, MIDDLE) OR FIRM NAME IF BUSINESS

4. LOCATION OF INCIDENT (HOUSE NO., STREET, C/T/V)

SEC. 5. DATE OF INCIDENT

BLOCK NO. INDICATE BLOCK LETTER OR NUMBER IN LEFT MARGIN.

CAR 13

4/17/94

PAGE 2 OF 2

department addendum report

LEROT POLICE

R/O WAS STANDING IN DISPATCH OFFICE W/ DISPATCHER [REDACTED] AND ATLMM CONDIDORIO AT APPROX 2200 HRS WHEN [REDACTED] [REDACTED] CAME INTO OFFICE WINDOW AND REQUESTED TO SPEAK W/ OFFICER CONDIDORIO. AS OFFICER CONDIDORIO WAS ON THE PHONE W/ DANVILLE PD. [REDACTED] REQUESTED TO SPEAK W/ R/O. R/O LED [REDACTED] INTO POLICE OFFICE AND [REDACTED]. [REDACTED] STATED THAT WHEN ATLMM CONDIDORIO (LP-8) WAS TAKEN AWAY [REDACTED] NAME AFTER GIVING HIM AN APPEARANCE TICKET FOR CRIMINAL CONTEMPT AND, AND WHILE DOING SO LP-8 TOLD [REDACTED] "IF YOU THOUGHT [REDACTED] HEAD LOOKED TERRIBLE, WAIT TILL I GET THROUGH WITH YOU." [REDACTED] WAS VERY UPSET, AT THAT TIME LP-8 ENTERED THE OFFICE AND [REDACTED] ASKED LP-8 WHY HE SAID SUCH A THING. LP-8 + [REDACTED] THEN GOT INTO A HEATED EXCHANGE DURING WHICH LP-8 STATED THAT [REDACTED] HAD THREATENED LP-8'S FAMILY AND THAT LP-8 HAD TOLD [REDACTED] THAT IF [REDACTED] CAME ON LP-8'S PROPERTY OR TRIED TO HURT LP-8'S FAMILY: "IF YOU THOUGHT [REDACTED] HEAD LOOKED BAD WAIT TILL I GET DONE WITH YOU." R/O ASKED LP-8 TO COME OUT INTO THE HALLWAY FOR A WORD. R/O TOLD LP-8 R/O WOULD TAKE THE PERSONNEL COMPLAINT AND SUGGESTED LP-8 NOT GO BACK INTO POLICE OFFICE UNTIL R/O WAS DONE W/ COMPLAINT. LP-8 WENT INTO DISPATCH OFFICE R/O TOOK COMPLAINT FROM [REDACTED] AND GAVE [REDACTED] A PHOTO COPY OF IT. R/O THEN CALLED LP-7 AND ADVISED HIM OF COMPLAINT LP-7 DIRECTED R/O TO DOCUMENT INCIDENT AND HAVE LP-8 WRITE UP A DEPOSITION DETAILING INCIDENT. R/O PASSED ON ORDER.

REPORTING OFFICER(S)

SUPERVISOR

[REDACTED], PTLMM

1

VILLAGE OF LEROY
DEPARTMENT OF POLICE

3 West Main Street
LeRoy, NY 14482
PH 768-2527

Intra-Departmental Correspondence

DATE: May 4, 1994

TO: Chief [REDACTED]

FROM: Sgt. [REDACTED]

SUBJECT: Personnel Complaint filed by [REDACTED] against Ptlm. John J. Condidorio

BASIS OF COMPLAINT: Alleges Ptlm. Condidorio used harsh language and was discourteous to citizens.

Chief Steffenilla;

On April 17, 1994 I received a phone call from Ptlm. [REDACTED] of the Village of Le Roy Police Department indicating he had taken a Personnel Complaint from [REDACTED] [REDACTED] against Ptlm. John J. Condidorio. This complaint was in regards to an incident that occurred in the area of [REDACTED] and [REDACTED] Streets in the Village of Le Roy.

It was alleged by [REDACTED] [REDACTED] that Ptlm. Condidorio had threatened her son, [REDACTED] [REDACTED], after he had been arrested by Ptlm. Condidorio. Subsequent to this Ptlm. Condidorio engaged in a shouting match at the Le Roy Police Department Office with [REDACTED] [REDACTED].

Attached you will find the results of my investigation into this incident.

VILLAGE OF LEROY
DEPARTMENT OF POLICE

3 West Main Street
LeRoy, NY 14482
PH 768-2527

Statements That Tend To Support The Complaint:

1) A signed sworn statement by Ptlm. [REDACTED] given to Sgt. [REDACTED] of the Village of Le Roy Police Department 04/18/94 that supports the allegations that Ptlm. Condidorio threatened [REDACTED] and was discourteous to his mother [REDACTED]. A copy of which is attached hereto and made a part hereof.

2) A signed sworn statement by Ptlm. John J. Condidorio given to Sgt. [REDACTED] of the Village of Le Roy Police Department 04/18/94 that supports the allegations that he, Ptlm. Condidorio, threatened [REDACTED]. A copy of which is attached hereto and made a part hereof.

3) A signed sworn statement by Disp. [REDACTED] given to Sgt. [REDACTED] of the Village of Le Roy Police Department 04/30/94 that supports the allegations that Ptlm. Condidorio threatened [REDACTED] and was discourteous to his mother [REDACTED]. A copy of which is attached hereto and made a part hereof.

4) A signed sworn statement by [REDACTED] given to Sgt. [REDACTED] of the Village of Le Roy Police Department 04/18/94 that supports the allegations that Ptlm. Condidorio threatened [REDACTED] and was discourteous to her, [REDACTED]. A copy of which is attached hereto and made a part hereof.

5) A signed sworn statement by [REDACTED] given to Sgt. [REDACTED] of the Village of Le Roy Police Department 04/18/94 that supports the allegations that Ptlm. Condidorio threatened him, [REDACTED]. A copy of which is attached hereto and made a part hereof.

VILLAGE OF LEROY
DEPARTMENT OF POLICE

3 West Main Street
LeRoy, NY 14482
PH 768-2527

Statements That Tend To Refute The Complaint:

None of the statements provided during this investigation would tend to refute the complaint.

VILLAGE OF LEROY
DEPARTMENT OF POLICE

3 West Main Street
LeRoy, NY 14482
PH 768-2527

Conclusion

██████ has several documented occurrences where he has threatened either private citizens or police officers dating back to mid-1993 including;

A domestic with his mother which involved threats made by ██████ to Ptlm. ██████ CR #935869. Copies attached.

A harassment wherein ██████ threatened to kill a former girlfriend CR #937636. Copies attached.

A menacing complaint wherein ██████ threatened the life of Lt. ██████ and his family CR #937646. Copies attached.

A harassment wherein ██████ made a threat against a potential witness and her friend CR #942137. Copies attached.

During the course of my interview with ██████ on 04/18/94 in reference to this investigation he made what I took to be threats against Ptlm. Condidorio. See Addendum (attached)

On April 25, 1994 after having been arraigned by Judge ██████ ██████ made an indirect threat to me against Judge ██████. See Addendum (attached)

The above stated incidents would tend to support Ptlm. Condidorio's claim that what ██████ ██████ said to him was understood as a threat both to Ptlm. Condidorio as well as his family. However, the issue is whether Ptlm. Condidorio's response to those threats as well as his dealings with ██████ ██████ was handled in an appropriate and professional manner.

Therefore;

On the allegation that Ptlm. Condidorio was discourteous to ██████ ██████. Based on the facts as they were presented it is my conclusion that Ptlm. Condidorio was discourteous towards ██████ ██████ and find the allegation to be sustained.

On the allegation that Ptlm. Condidorio was discourteous to ██████ ██████. Based on the facts as they were presented it is my conclusion that Ptlm. Condidorio was discourteous towards ██████ ██████ and find the allegation to be sustained.

VILLAGE OF LEROY
DEPARTMENT OF POLICE

3 West Main Street
LeRoy, NY 14482
PH 768-2527

Investigative Summary

That on April 17, 1994 at approximately 10:00 p.m. Ptlm. John J. Condidorio was transporting [REDACTED]. [REDACTED] home after having arrested [REDACTED] for Criminal Contempt in the second degree. Prior to leaving the police office and while enroute to [REDACTED]'s residence on [REDACTED] Street [REDACTED] made repeated comments to Ptlm. Condidorio regarding where Ptlm. Condidorio lived. He continued with these comments at which time Ptlm. Condidorio felt these comments in his words, "turned into a positive threat against both this officer, my property and my family." Ptlm. Condidorio then turned and advised [REDACTED] that, "You are not allowed on my property and if I ever catch you on my property your head will look worse than your brother's did."

Approximately five minutes later, after learning what had happened from her son, [REDACTED]. [REDACTED] arrived at the Village Hall. She asked to speak with Ptlm. Condidorio, but, he was unavailable and she spoke with Ptlm. [REDACTED]. Shortly after entering the police office with Ptlm. [REDACTED], Ptlm. Condidorio walked into the office and [REDACTED] asked him what he had said to her son. A shouting match ensued between the two, with Ptlm. Condidorio reiterating to [REDACTED] what had been said to her son. The confrontation ended only after Ptlm. [REDACTED] asked Ptlm. Condidorio to come out into the hallway and advised him not to go back in the office until [REDACTED] left.

On the allegation that Ptlm. Condidorio did not show a impartial attitude in his dealing with [REDACTED]. [REDACTED]. Based on the facts as they were presented it is my conclusion that Ptlm. Condidorio was not impartial towards [REDACTED]. [REDACTED] and find the allegation to be sustained.


These allegations constitute a violation of the Rules and Regulation for the Village Of Le Roy Police Department. Sections 2.11 and 2.12.

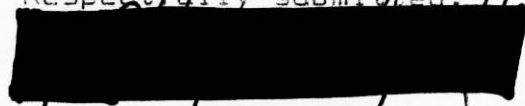
VILLAGE OF LEROY
DEPARTMENT OF POLICE

3 West Main Street
LeRoy, NY 14482
PH 768-2527

Recommendation

As this is the second incident within a year involving discourtesy to a citizen it is my recommendation that Ptlm. Condidorio receive a written reprimand to be placed in his personnel file. Further that he be compelled to either seek counselling to resolve his apparent shortcomings in dealing with citizens or he attend some course dealing with police/community relations.

Respectfully submitted, 



Sgt. 

ADDENDUM

A CONTINUATION OF A

INCIDENT

REPORT

CR # 941971

3. VICTIM'S NAME (LAST, FIRST, MIDDLE) OR FIRM NAME IF BUSINESS

4. LOCATION OF INCIDENT (HOUSE NO., STREET, C/T/V)

SEC.

5. DATE OF INCIDENT

204/WOLCOTT ST.

041794

INDICATE BLOCK LETTER OR NUMBER IN LEFT MARGIN.

04/18/94 INTERVIEWED [REDACTED] AND [REDACTED] AND OBTAINED DEPOSITIONS FROM SAME (INCLUDED) WHILE INTERVIEWING [REDACTED]. HE MADE ~~THE~~ WHAT I CONSIDERED TO BE THREATS AGAINST PTLM CONDORLO SPECIFICALLY:

- 1) I DON'T KNOW WHAT MY FRIENDS WILL DO WHEN THEY FOUND OUT CONDORLO SAID
- 2) CONDORLO BETTER NOT COME AFTER ME IF HE KNOWS WHAT'S GOOD FOR HIM.

I ADVISED HIM I CONSIDERED THESE THREATS, BUT, HE DID NOT FEEL THEY WERE.

04/25/94 [REDACTED] IN OFFICE AFTER BEING ARRAIGNED BY JUDGE [REDACTED]. COULD NOT UNDERSTAND WHY BAIL WAS SET. I ADVISED IT WAS THE JUDGE'S DEROGATIVE AND [REDACTED] REPLIED "WELL, HE BETTER CHANGE HIS FUCKIN DEROGATIVE IF HE KNOWS WHAT'S GOOD FOR HIM." [REDACTED] ALSO IN OFFICE AND WAS ADVISED OF STATUS ON PERSONNEL COMPLAINT.

05/04/94 SPOKE TO [REDACTED] ADVISED ON STATUS OF CASE.

REPORTING OFFICER

SUPERVISOR

department addendum report

LEADY POLICE

PAGE OF

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

DEPONENT

of _____, N.Y. age _____ years,
occupation _____, states as follows:

On Sunday night April 17, 1994 at about 10 p.m. my son _____ Came home. He looked to me like he was about ready to cry. He said, "You know what Condidorio told me?" I said what did he say and _____ said, "He told me if you thought _____'s head looked bad wait till I get done with you." I said you gotta be kidding me. _____ said, "Do you think I would kid about something like that." I said I'm going to the police station, got my things and left. I left and went in the side door and saw no one was in the office and I went around to the dispatcher. _____ was standing next to the window and Condidorio was in there too. I told _____ I wanted to talk to Condidorio, but, Condidorio got a phone call and got up to get it. I told _____ I wanted to talk to him in the office and we went in there. I sat down on the bench and told him I wanted to press charges against Condidorio. A few seconds later here comes Condidorio into the office and I didn't get a chance to tell _____ anything. I stood up in front of the desk and he was standing about three feet away from me and I asked Condidorio what he told my son about _____. And the next thing I know he was right in my face and he screamed in my face that _____ threatened him and his family and that he wasn't going to put up with it. And if he thought _____'s head looked terrible wait till he got done with him. _____

Notice: A false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of New York. Affirmed under the penalty of perjury.

this 18 day of April, 1994
OR

Subscribed and sworn to before me
this 18 day of APRIL, 1994

Deponent

Witness

Witness

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

DEPONENT

of _____, N.Y. age _____ years,
occupation _____, states as follows:

After he said that he walked around the desk and I told him I could expect
it out of a _____ year old but not an adult officer and who was the adult
around here. I repeated this and he was saying something, but, I was so
upset I didn't know what he was saying. _____ got him out of the office. I
was there long enough to do the report and left. _____

Notice: A false statements made herein are punishable as a Class A
Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of
New York. Affirmed under the penalty of perjury.
this 18 day of April, 1994
OR

Subscribed and sworn to before me
this 18 day of April, 1994

Deponent

Witness

Witness

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

DEPONENT

of _____, N.Y. age _____ years,
occupation _____, states as follows:

On Sunday night April 17, 1994 at about 9 p.m. I left my friend _____
_____ house on _____ with her father to go home, in their car.
While we were going down _____ St., Condidorio saw me in the truck and
by the time we got to my house he had turned his lights on. I got out and
was by my driveway and Condidorio was talking to _____ father. He came
up and told me I was out past my curfew and I was under arrest and told me
to get into the cop car and I did. He took me up to the office and called
the black judge and he said to give me an appearance ticket for the 25th.
He gave me the ticket and asked me if I wanted a ride home and I said no,
but, he insisted he give me a ride and I said alright. I said to him don't
you live down by me. He said, "No, I don't live down by you. As we went
down _____, I pointed out his house and said, "Isn't that where you
live?" He gave me a dirty look and said, "You fuckin' little ass hole, you
better not ever come around me." I said I'm not threatening you or your
family and I just wanted to come down and talk to you sometime. He said,
"If you think _____ head looked bad wait 'till I get done with you."
Nothing else was said and he dropped me off in front of my house and told
me to have a nice day and I went in the house.

Notice: A false statements made herein are punishable as a Class A
Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of
New York. Affirmed under the penalty of perjury.

this 18 day of APRIL, 1994
OR

Subscribed and sworn to before me
this 18 day of APRIL, 1994

At _____

Deponent _____
Witness _____
Witness _____

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

JOHN J. CONDIDORIO
DEPONENT

of #3 WEST MAIN ST LEROY, N.Y.

age 27 years,

occupation POLICE OFFICER FOR THE VILLAGE OF LEROY, states as follows:

THAT ON 04/17/94 AT ABOUT 19:04 HRS R/O RESPONDED TO [REDACTED] TO SPEAK WITH [REDACTED] IN REFERENCE TO A FOLLOW UP FOR GRAND LARCENY. ONCE AT THE RESIDENCE, I NOTICED INSIDE, [REDACTED], [REDACTED], AND [REDACTED] ALONG WITH ANOTHER GIRL THAT I IDENTIFIED AS [REDACTED] WHO LIVES ON [REDACTED]. I COMPLETED MY FOLLOW UP AND THEN CLEARED.

AT APPROXIMATELY 19:26 HRS, I WAS NOTIFIED BY DISPATCHER [REDACTED] THAT A COMPLAINT WAS RECEIVED STATING [REDACTED] WAS AT THE [REDACTED] STORE ON WEST MAIN ST IN THE VILLAGE WITH [REDACTED]. [REDACTED] WAS NOT IN THE PRESENCE OF HIS MOTHER WHICH WOULD HAVE BEEN A VIOLATION OF HIS COURT IMPOSED CURFEW. I RESPONDED TO THE STORE BUT FOUND [REDACTED] WAS NOT THERE. I WAS THEN ADVISED BY OFFICER [REDACTED] THAT [REDACTED] WAS IN [REDACTED] VEHICLE DRIVING AROUND IN THE VILLAGE.

AT APPROXIMATELY 21:36 HRS, R/O WAS ON [REDACTED] ST IN THE VILLAGE, AND NOTICED NY REGISTRATION [REDACTED] PASS MY CAR WEST BOUND ON [REDACTED] ST. R/O NOTICED THAT INSIDE THE VEHICLE WAS [REDACTED], AND I DID NOT SEE EITHER HIS MOTHER [REDACTED] NOR HIS MOTHERS BOYFRIEND [REDACTED] INSIDE THE VEHICLE. R/O TURNED AND STOPPED SAID VEHICLE ON [REDACTED] ST., AT WHICH TIME [REDACTED] IMMEDIATELY EXITED THE VEHICLE AND HURRIEDLY WALKED TO HIS RESIDENCE LOCATED AT [REDACTED] ST. I YELLED FOR [REDACTED], BUT HE CONTINUED. I SPOKE WITH THE OPERATOR OF THE VEHICLE, [REDACTED] OF [REDACTED] RD. [REDACTED] STATED THAT HE WAS RETURNING [REDACTED] HOME, AS [REDACTED] HAD BEEN AT [REDACTED] RESIDENCE FOR A FEW HOURS. ALSO IN THE VEHICLE WAS [REDACTED] DAUGHTER. [REDACTED] SAID THE SAME THING. I THEN SPOKE WITH [REDACTED] WHO WAS STANDING IN THE YARD OF HIS RESIDENCE. I QUESTIONED [REDACTED] WHY HE WAS OUT AFTER HIS CURFEW. [REDACTED] REPLIED THAT HE THOUGHT HE COULD BE OUT IF HE WAS WITH AN ADULT. [REDACTED] WAS ADVISED THAT HE COULD BE OUT WITH HIS PARENTS, BUT NOT WITH ANY ADULT. [REDACTED] WAS TRANSPORTED TO LEROY POLICE DEPARTMENT AND HON. [REDACTED] WAS CONTACTED. JUDGE [REDACTED] STATED THAT [REDACTED] WAS IN VIOLATION OF HIS CURFEW, AND THAT R/O WAS TO ISSUE HIM AN APPEARANCE TICKET FOR CONTEMPT OF COURT/ VIOLATION OF CURFEW.

AS R/O DID SO, AND EXPLAINED TO [REDACTED] THE CHARGE, [REDACTED] MADE A REMARK OF "YOU GUYS ARE PRICKS." LATER AFTER OFFICER [REDACTED] HAD LEFT THE ROOM [REDACTED] QUIETLY REMARKED "DON'T YOU LIVE AT THE END OF MY STREET." I ASKED [REDACTED] "WHY?" [REDACTED] REPLIED "BECAUSE I SEE YOUR CAR THERE ALOT." I THEN TOLD [REDACTED] "NO, I DON'T LIVE THERE, I JUST VISIT ALOT." [REDACTED] TONE OF VOICE THEN CHANGED DRAMATICALLY AND HE STATED "BOY, I SEE YOUR CAR THERE AN AWFUL LOT, I BELIEVE THAT YOU DO LIVE THERE!" AT THIS POINT I BELIEVED THAT [REDACTED] WAS MAKING AN INNUENDO TYPE THREAT, BUT I DID NOT SAY ANYTHING. I IGNORED THIS INNUENDO AS I BELIEVED THAT [REDACTED] COULD JUST BE MAD AT R/O FOR MAKING THIS ARREST.

**R/O DOES LIVE A FEW HOUSES [REDACTED] OF [REDACTED] RESIDENCE, AND HE DOES KNOW WHERE THIS OFFICER LIVES, AS HE HAS PASSED ME SEVERAL TIMES AS I WAS OUTSIDE.

AFTER THE APPEARANCE TICKET WAS ISSUED, I ADVISED [REDACTED] THAT SINCE IT WAS PASSED HIS CURFEW, I WOULD DRIVE HIM HOME. [REDACTED] GOT INTO THE FRONT SEAT OF MY CAR AND I DROVE [REDACTED] ON [REDACTED]. AS WE PASSED MY PERSONAL RESIDENCE [REDACTED] POINTED TO MY RESIDENCE. [REDACTED] STATED "ARE YOU SURE THAT'S YOUR HOUSE!" [REDACTED] VOICE THEN CHANGED INTO A THREATENING TONE AND STATED "YES, I THINK THAT IS YOUR HOUSE." AND CONTINUED WITH BOTH A THREATENING AND SURE VOICE AND STATED "YES, YOU LIVE NEAR ME DON'T YOU!?" AT THIS POINT THE ORIGINAL INNUENDO TURNED INTO A POSITIVE THREAT AGAINST BOTH THIS OFFICER, MY PROPERTY AND MY FAMILY. I THEN TURNED AND ADVISED [REDACTED] THAT "YOU ARE NOT ALLOWED ON MY PROPERTY AND THAT IF I EVER CATCH YOU ON MY PROPERTY THAT YOUR HEAD WOULD LOOK WORSE THAN YOUR BROTHERS DID."

Notice: A false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of New York. Affirmed under the penalty of perjury.
this 18th day of April, 19 94
OR

[REDACTED]
Deponent

Subscribed and sworn to before me
this ____ day of _____, 19____

Witness

Witness

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

PATROLMAN JOHN CONDIDORIO
DEPONENT

of 3 WEST MAIN ST LEROY, N.Y. age [REDACTED] years,
occupation POLICE OFFICER, states as follows:

THAT IN ADDITION TO MY ORIGINAL DEPOSITION, I ALSO WISH TO MENTION THAT WHILE [REDACTED] WAS IN THE POLICE OFFICE ON APRIL 17TH, 1994, HE DID MAKE THE STATEMENT "I'M SURE YOU LIVE NEAR ME. I THINK I'LL MAKE IT A POINT TO COME TO YOUR HOUSE ONE NIGHT." THEN WHILE BRINGING [REDACTED] HOME, AFTER WE PASSED MY RESIDENCE AND HE POINTED TO IT, HE AGAIN MENTIONED "I'M SURE I'LL VISIT YOU AND YOUR FAMILY ONE NIGHT SOON. GEE, I WONDER IF HARM WOULD COME TO YOUR FAMILY!?" [REDACTED] THEN CONTINUED TO MENTIONING THE FACT THAT I LIVE NEAR HIM.

Notice: A false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of New York. Affirmed under the penalty of perjury
this 22nd day of April, 1994
OR

Subscribed and sworn to before me
this _____ day of _____, 19____

[REDACTED]
Deponent

Witness

Witness

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

Patrolman [REDACTED]
DEPONENT

of 3 West Main Street, LeRoy, N.Y. age 26 years,
occupation Police Officer, states as follows:

That on 17 April 1994 at approximately 2200 hours Deponent, Patrolman John J. Condidorio and Dispatcher [REDACTED] were standing in the dispatch office at LeRoy Police Department. Patrolman Condidorio had just returned from taking [REDACTED] to [REDACTED]' residence at [REDACTED] after issuing [REDACTED] an appearance ticket for Criminal Contempt in the Second Degree for violating [REDACTED]' court imposed curfew. Patrolman Condidorio was telling Dispatcher [REDACTED] and Deponent about a conversation that took place in police car 13 when Patrolman Condidorio was transporting [REDACTED] home. Patrolman Condidorio stated that [REDACTED] had asked if Patrolman Condidorio lived "down on the corner" referring to the corner of [REDACTED] and [REDACTED] Streets. Patrolman Condidorio stated that he told [REDACTED] "No, unh uh." Patrolman Condidorio then relayed to dispatcher [REDACTED] and Deponent that as they approached Patrolman Condidorio's residence that [REDACTED] said "You sure you don't live right there? In that house right there?" Patrolman Condidorio stated that he then told [REDACTED] "If you thought [REDACTED] head looked bad, wait till I get done with you." Patrolman Condidorio then stated to Dispatcher [REDACTED] and Deponent "If that little shit wants to threaten my family, well fuck him." At that time [REDACTED], [REDACTED]' mother, came into the building. Deponent asked [REDACTED] if Deponent could help her and [REDACTED] stated that she would like to talk to Patrolman Condidorio. As this conversation was occurring the telephone rang in the dispatch office and Dispatcher [REDACTED] advised Patrolman Condidorio that the call was from Dansville Police Department for him. Deponent then advised [REDACTED] that Patrolman Condidorio would be a few minutes and [REDACTED] requested to speak with Deponent. Deponent led [REDACTED] into the police office and asked [REDACTED] how Deponent could help her. [REDACTED] stated that Patrolman Condidorio had told [REDACTED] "If you thought [REDACTED]' head looked terrible, wait till I get through with you." [REDACTED] stated that she wanted something done. [REDACTED] was visibly upset and Deponent explained that [REDACTED] was welcome to make a complaint. Patrolman Condidorio then entered the Police office and [REDACTED] asked him who he thought he was to make that comment to her son. Patrolman Condidorio answered that if [REDACTED] thought he could threaten Patrolman Condidorio's family then Patrolman Condidorio could tell him what the result would be. [REDACTED] asked what Patrolman Condidorio had said and Patrolman Condidorio stated that he had said "If you thought [REDACTED]' head looked bad wait till I get done with you." Patrolman Condidorio then went on to say that he did not have to take threats from "the likes of him." Deponent then asked Patrolman Condidorio if he would please step out into the hallway with Deponent. Once there Deponent told Patrolman Condidorio that Deponent would take the complaint
END FIRST PAGE DEPOSITION OF PATROLMAN [REDACTED] 18 APRIL 1994 [REDACTED]

START SECOND PAGE DEPOSITION OF PATROLMAN [REDACTED] 18 APRIL 1994

[REDACTED] from [REDACTED] and that Patrolman Condidorio should not reenter the Police office until deponent had taken the complaint, calmed [REDACTED] and sent her home. Patrolman Condidorio agreed and went to the Dispatch office. Deponent then reentered the Police office and took a Citizens Complaint Against Police report, explained the process to [REDACTED] and issued [REDACTED] a copy of the report. [REDACTED] then left the Village Hall. Deponent then called Sergeant [REDACTED] at home and advised the Sergeant of the complaint and its nature. Sergeant [REDACTED] directed Deponent to have Patrolman Condidorio document the incident on and addendum or as a deposition. Sergeant [REDACTED] also directed Deponent to document Deponent's involvement. Deponent advised Patrolman Condidorio of the Sergeant's orders and Patrolman Condidorio stated he would write a deposition. Deponent then completed an addendum to the Citizen Complaint Against Police Report.

Notice: A false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of New York. Affirmed under the penalty of perjury.

This 18 day of April, 1994

OR

Subscribed and sworn to before me

this _____ day of _____, 19____

[REDACTED]
Deponent

Witness

Witness

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

[REDACTED]

DEPONENT

of [REDACTED] LeRoy, N.Y.

age [REDACTED] years,

occupation Dispatcher, states as follows:

That on April 17, 1994 at about 2200 hours, while employed as a Dispatcher for the village of LeRoy, I did have a conversation with John Condidorio after this officer returned [REDACTED] to his residence at [REDACTED] Street. The conversation did go as follows. Officer Condidorio stated that [REDACTED] had inquired to where John lived and that John did not tell him. Then when they passed John's home, [REDACTED] stated to John, "you live there don't you." John stated that he pulled the patrol car over and told [REDACTED] the following. "If you thought your brother [REDACTED] head looked bad, then you should wait until I get done with you." At this time there was no statement of any threats to John or his family, simply mention of where John lived. Shortly there after Officer [REDACTED] came into the office and John changed the story to stated that [REDACTED] had threatened both John and his family, not stating any specific threats or statements. Then John did state that he told [REDACTED] that "if you thought [REDACTED] head looked bad, wait till I get done with you." At this point John also stated something to the affect that he would not put up with [REDACTED] threatening his family. I more or less shut John out at this point. Soon there after [REDACTED] came to the window. [REDACTED] asked her if he could help her and she stated that she would like to speak to John. They went into the police office where a loud argumentative conversation took place between John and [REDACTED]. I could hear parts of this conversation in the dispatch office, because of the loudness. John stated to [REDACTED] that "if that little shit wants to threaten me and my family, well fuck him, ya fuck him." John also did admit to [REDACTED] that he told Jason "if you thought [REDACTED] head looked bad, wait till I get done with you." John then came into the dispatch office and eventually left the building to go on the road.

Notice: A false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of New York. Affirmed under the penalty of perjury.
this 30th day of April, 1994

OR

Subscribed and sworn to before me
this 30th day of April, 1994

[REDACTED]
Deponent

[REDACTED]
Witness

Witness

935869 JUVENILE

20 SEP 93 16 50
TIME OF ARRIVAL

20 SEP 93 17 02
TIME COMPLETED

LEROY DISPATCH OFFICE

DISPATCH CARD

| | |
|----------------------|-----------------------|
| Location of Incident | Nature of Incident |
| SAME | DOMESTIC - MOTHER-SON |
| Complainant's Name | Geo Code |
| [REDACTED] | |
| Address | Phone |
| [REDACTED] | |

LE ROY

Remarks: SON REFUSES TO TURN STAIRS DOWN - VERBAL
 DOMESTIC. [REDACTED] AND CO
 MARY VERBAL DOMESTIC OVER [REDACTED] PLAYING MUSIC LOUD.

| | | | | | |
|--------------|---------------|------------------|---------------|-------------|-------------|
| Back-up Cars | O.I.C. | | | | |
| | LP09 | | | | |
| Ambulance(s) | Tow(s) | | | | |
| | | | | | |
| Received By | Dispatched By | Officer Assigned | Incident Code | Action Code | Reviewed By |
| LP21 | LP21 | LP09 | 59,06 | 7577 | [REDACTED] |

TIME DISPATCHED

TIME RECEIVED

20 SEP 93 16 41

Additional Remarks: R/O ADVISED CO THAT SHE NOT THE RIGHT TO REMOVE THE
STEPS FROM THE RESIDENCE. [REDACTED] MADE VAGUE STATEMENTS ABOUT WHAT WOULD RESULT
[REDACTED] WAS ABUSIVE TO CO AND R/O. CO ASKED ABOUT PENDING PINS
PETITIONS AGAINST [REDACTED] R/O ADVISED HER TO CONTACT [REDACTED]

937636

LERoy DISPATCH OFFICE

DISPATCH CARD

-8 DEC 93 22 46

TIME DISPATCHED

Location of Incident

[REDACTED]

Nature of Incident

Harassment

Geo Code

Complainant's Name

[REDACTED]

Address

[REDACTED]

Phone

[REDACTED]

Remarks:

CO STATES THAT [REDACTED] THREATENED TO

KILL CO. CO WOULD LIKE TO HAVE POLICE TO

SPEAK TO [REDACTED]. B10 ATTEMPTED TO LOCATE ->

Back-up Cars

O.I.C.

LP07

Ambulance(s)

Fire Service(s)

Tow(s)

Received By

LP21

Dispatched By

LP21

Officer Assigned

LP03

Incident Code

24.08

Action Code

[REDACTED]

Reviewed By

-8 DEC 93 22 46

TIME RECEIVED

TIME OF ARRIVAL

TIME COMPLETED

DEC 93 10 35

Additional Remarks:

[REDACTED] of [REDACTED] ST. AS OF [REDACTED]
This writing unable to locate.

See CR # 937646 for additional information. [REDACTED]

9 DEC 93 12 41
TIME OF ARRIVAL

TIME COMPLETED

937646

DISPATCH CARD

LERoy DISPATCH OFFICE

Nature of Incident

DOMESTIC

Location of Incident

same

Geo Code

Complainant's Name

Phone

Address

[Redacted]

Remarks:

domestic at [Redacted] [Redacted] [Redacted] [Redacted]

See offense Report - Mental Health. Missing and 1/22/10/19 also subject contact Report

TIME RECEIVED

9 DEC 93 12 36
TIME DISPATCHED

9 DEC 93 12 36

Back-up Cars

Fire Service(s)

Tow(s)

Ambulance(s)

Dispatched By

Officer Assigned

Incident Code

Action Code

Reviewed By

Received By

LPO2

LPO2

5916

2527

LPO2

[Redacted]

| | | | | | | | | | | | | | |
|--|----------------------------|------------------------------------|-----------------------|--|-----------------------------|---|----------------|--|----------|---------------------------------|------------------------|------------------------|----|
| 1. Agency Le Roy Police | | 2. Division/Precinct JUV | | New York State INCIDENT REPORT | | 3. ORI 0182300 | | 4. <input checked="" type="checkbox"/> Original <input type="checkbox"/> Supplement | | 5. Incident No 937646 | | | |
| 6. Report Day THUR | 7. Date 12/09/93 | 8. Report Time 12:50 | Occurred On/From → | 9. Day THUR | 10. Date 12/09/93 | 11. Time 12:46 | Occurred To: → | 12. Day | 13. Date | 14. Time | | | |
| 15. Incident Type MENACING | | | 16. Business Name | | | 17. Weapon(s) | | | A. | | | | |
| 18. Incident Address (Street No., Street Name, Bldg. No., Apt. No.) PATROL Vehicle - Office Le Roy Police 3 W. Main St | | | | | | 19. City, State, Zip (<input type="checkbox"/> C <input type="checkbox"/> T <input checked="" type="checkbox"/> V) Le Roy N.Y. 14482 | | 20. Location Code 1923 | | | | B. | |
| 21. OFF. NO. 1316 | LAW PL | SECTION 120.14 | SUB 02 | CL A | CAT Misd | DEG 2nd | ATT | NAME OF OFFENSE MENACING 2nd | | CTS 1 | VICT. NO. VI | SUSP. NO. SI | C. |

| | | | | | | | | | | | | |
|--|-----------------------------------|--|--|--|--|--|--|---|--|--|--|----|
| 22. Person Type: CO = Complainant OT = Other PI = Person Interviewed PR = Person Reporting WI = Witness NI = Not Interviewed VI = Victim | | | | | | | | 23. Complainant also victim? <input checked="" type="checkbox"/> <input type="checkbox"/> N | | | | E. |
| TYPE/NO | NAME (LAST, FIRST, MIDDLE, TITLE) | | | STREET NO., STREET NAME, BLDG. NO., APT. NO., CITY, STATE, ZIP | | | | TELEPHONE NO. | | | | F. |
| Co/vi | [REDACTED] | | | 3 W. MAIN ST. Le Roy N.Y 14482 | | | | 768-2527 | | | | G. |
| w1 | [REDACTED] | | | [REDACTED] | | | | [REDACTED] | | | | H. |
| w2 | [REDACTED] | | | [REDACTED] | | | | [REDACTED] | | | | I. |

| | | | | | | | |
|-------------------|------------|------------|------------|------------|--------------|----------------------|------------|
| 24. Date of Birth | 25. Age | 26. Sex | 27. Race | 28. Ethnic | 29. Handicap | 30. Residence Status | J. |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |

| | | | | | | | | |
|--|--------------------------------|--|---------------|--|---|---------------------|-------------|------------|
| 31. Type/No | 32. Name (Last, First, Middle) | 33. Alias/Nickname/Maiden Name (Last, First, Middle) | | 34. Condition <input type="checkbox"/> Impaired Drugs <input type="checkbox"/> Mental Dis <input type="checkbox"/> Unk. <input type="checkbox"/> Impaired Alco <input type="checkbox"/> Inj/ Ill <input type="checkbox"/> App Norm | | K. | | |
| [REDACTED] | [REDACTED] | [REDACTED] | | [REDACTED] | | [REDACTED] | | |
| 35. Address (Street No., Street Name, Bldg. No., Apt. No., City, State, Zip) | | | 36. Phone No. | | 37. Social Security No. | L. | | |
| [REDACTED] | | | [REDACTED] | | [REDACTED] | [REDACTED] | | |
| 38. Date of Birth | 39. Age | 40. Sex | 41. Race | 42. Ethnic | 43. Skin | 44. Occupation | M. | |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | |
| 45. Height | 46. Weight | 47. Hair | 48. Eyes | 49. Glasses <input type="checkbox"/> Yes <input type="checkbox"/> Contacts <input type="checkbox"/> No | 50. Build <input type="checkbox"/> Small <input type="checkbox"/> Large <input type="checkbox"/> Medium | 51. Employer/School | 52. Address | N. |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| 53. Scars/ Marks/ Tattoos (Describe) | | | | 54. Misc | | | [REDACTED] | |

| 55. Vic/Susp No. | Prop. Status | Article Code | Quantity | Make | Model | Serial No. | Description | Value |
|------------------|--------------|--------------|----------|------|-------|------------|-------------|-------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

| | | | | | | | | | | |
|-----------------|--|--------------------------------------|--|-----------|--------------|----------------|--|-------------------|---------|---|
| 56. Veh. Status | | 57. License Plate No. | | 58. State | 59. Exp. Yr. | 60. Plate Type | | 61. Vehicle Notes | | 1 |
| 62. Veh. Yr | | 63. Make | | 64. Model | | 65. Style | | 70. Drug Type | | 2 |
| 66. VIN. | | 68. T. By: O _____ W To: _____ | | 69. Value | | 70. Drug Type | | Quantity | Measure | 3 |
| 67. Color | | 68. T. By: O _____ W To: _____ | | 69. Value | | 70. Drug Type | | Quantity | Measure | 4 |

71. Subject was taken into custody for a mental health evaluation after he repeatedly threatened to kill his girlfriend and her new boyfriend. This was reported by w1 & w2 above. [REDACTED] also threatened w1 and w2 family while he was in custody. Mental health was contacted and [REDACTED] was taken to [REDACTED] for evaluation by LAPD. After evaluation at [REDACTED] he was transported to [REDACTED] County Medical Center for further evaluation. I also contacted Asst. County Attorney [REDACTED] and advised him of threats made by [REDACTED] and he requested depositions and paperwork to be forwarded to him at Family Court.

| | | | | | | |
|---|--|--|-------------------------|---|------------------|-------------------------|
| 72. Inquiries (Check all that apply) <input type="checkbox"/> DMV <input type="checkbox"/> Want Warrant <input type="checkbox"/> Scofflaw <input type="checkbox"/> Crim. History <input type="checkbox"/> Stolen Property <input type="checkbox"/> Other | | | 73. NYSPIN Message No. | 74. Complainant Signature [REDACTED] | | B2 |
| 75. Reporting Officer Signature (Include Rank) Lt. [REDACTED] | | | 76. ID No. 02 | 77. Supervisor's Signature (Include Rank) [REDACTED] | | Page of Pages |
| 79. Case Status <input type="checkbox"/> Vict. Refused to Coop. <input type="checkbox"/> Open <input type="checkbox"/> Closed (If Closed, check box below) <input type="checkbox"/> CBI <input type="checkbox"/> Juv - No Custody <input type="checkbox"/> Arrest <input type="checkbox"/> Pros. Declined <input type="checkbox"/> Arrest - Juv <input type="checkbox"/> Offender: Dead | | | 80. Status Date | | 81. Notified/TOT | A use cover sheet |
| 82. <input type="checkbox"/> Unfounded <input type="checkbox"/> Warrant Advised <input type="checkbox"/> Extrad. Declin <input type="checkbox"/> Unknown | | | 80. Status Date | | 81. Notified/TOT | [REDACTED] |

mg

ADDENDUM

A CONTINUATION OF A

Menacing Crime REPORT

CR # 937646

3. VICTIM'S NAME (LAST, FIRST, MIDDLE) OR FIRM NAME IF BUSINESS

4. LOCATION OF INCIDENT (HOUSE NO., STREET, C/T/V)

SEC.

5. DATE OF INCIDENT

BLOCK NO. INDICATE BLOCK LETTER OR NUMBER IN LEFT MARGIN.

And if [REDACTED] is Released he will be taken directly to Family Court where [REDACTED] will file the petition.

Spoke to [REDACTED] [REDACTED] [REDACTED] and she stated that [REDACTED] is currently enrolled at "[REDACTED]" Rehab. in [REDACTED] for drug and alcohol dependency. I will be taking a deposition from [REDACTED] and her mother [REDACTED] in week.

department addendum report

PAGE 2 OF

REPORTING OFFICER(S)

Lt. [REDACTED]

SUPERVISOR

1

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

Lt [REDACTED]
DEPONENT

of Le Roy Police Dept 3 W MAIN St Le Roy, N.Y. age [REDACTED] years,
occupation Police Licutenant, states as follows:

That on December 9, 1993 I responded to a call at [REDACTED] from a [REDACTED] who was having a domestic problem with her [REDACTED] old son [REDACTED]. Upon my arrival [REDACTED] told me that [REDACTED] had made numerous threats to kill a girlfriend and her boyfriend and then [REDACTED] was going to himself. [REDACTED] was very belligerent towards this officer and extremely hostile towards everyone. When [REDACTED] was told he would have to go with me for a mental health evaluation he ran and walked away from officer [REDACTED]. I grabbed [REDACTED] by his jacket from behind and told him he was going for an evaluation, he could walk to the car or I would take him. He agreed to walk and I let go of him and he put his sneakers on and walked to the car. On the way to the police station [REDACTED] repeated his threats against the girl and her boyfriend saying he was going to kill them and there was nothing I could do about it. [REDACTED] also threatened to kill this officer for putting my hands on him. When we reached our office and we

Notice: A false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of New York. Affirmed under the penalty of perjury.
this 9 day of December, 1993
OR

Subscribed and sworn to before me
this 9 day of December, 1993

Deponent: [REDACTED]
Witness:
Witness:

DEPOSITION OF WITNESS
TO ACCOMPANY COMPLAINT OR INFORMATION
SEC. 100.20 CPL

LE ROY POLICE DEPARTMENT

STATE OF NEW YORK
COUNTY OF GENESEE
VILLAGE OF LE ROY

Lt. [REDACTED]

DEPONENT

of LeRoy Police Dept, 341 MAIN ST. LeRoy, N.Y.

age [REDACTED] years

occupation Police Lieutenant

, states as follows:

were walking into the building [REDACTED] AGAIN THREATEN TO KILL
EVERYONE INCLUDING THIS OFFICER AND THEN MADE THREATS AGAIN
THIS OFFICERS FAMILY. [REDACTED] WAS BECOMING COMBATIVE TOWARDS
THIS OFFICER HE WAS HANDCUFFED AND HOOKED TO A SECURE BENCH IN
OUR OFFICE AT THIS TIME. [REDACTED] REPEATED THESE THREATS TO KILL
ME AND MY FAMILY NUMEROUS TIME. SUBJECT AGAIN BECAME CALM
AND THREATENING WHEN HIS MOTHER [REDACTED] [REDACTED] ARRIVED AT
OUR OFFICE.

Notice: A false statements made herein are punishable as a Class A
Misdemeanor pursuant to Section 210.45 of the Penal Law, of the State of
New York. Affirmed under the penalty of perjury.

this 9 day of December, 1993

OR

Deponent [REDACTED]

Subscribed and sworn to before me

this 9 day of September, 1993

Witness

Witness

| | | | |
|--|------------------------|--|---------------------------|
| <p style="text-align: center;">LERoy DISPATCH OFFICE</p> | | <p style="text-align: center;">DISPATCH CARD</p> | |
| <p>Location of Incident Steps of Village Hall</p> | | <p>Nature of Incident HARASSMENT</p> | |
| <p>3 W. Main St</p> | | <p>Geo Code</p> | |
| <p>Complainant's Name</p> | | <p>Phone</p> | |
| <p>Address</p> | | <p>Phone</p> | |
| <p>Remarks: Was threatened by [redacted] [redacted] St. Information completed, and given to Judge [redacted] As [redacted] was</p> | | <p>O.I.C. 7</p> | |
| <p>Back-up Cars 4 & 7</p> | | <p>Tow(s)</p> | |
| <p>Ambulance(s)</p> | | <p>Fire Service(s)</p> | |
| <p>Received By 8</p> | <p>Dispatched By 8</p> | <p>Incident Code 34.04</p> | <p>Action Code Person</p> |
| <p>TIME DISPATCHED</p> | | <p>TIME RECEIVED</p> | |
| <p>29 APR 21 00</p> | | <p>29 APR 21 00</p> | |
| <p>942137</p> | | <p>TIME OF ARRIVAL</p> | |
| <p>29 APR 21 00</p> | | <p>29 APR 21 00</p> | |

Additional Remarks: Scheduled to be arraigned on 30th charges tonight. [REDACTED] was committed to jail in lieu of \$250.00, and transported to GC Jail by US 30. [REDACTED]



Village of Le Roy

INCORPORATED IN 1834

LE ROY, NEW YORK 14482

716-768-2527

Fax: 716-768-4549

May 27, 1994

Officer John J. Condidorio
3 West Main Street
LeRoy, New York 14482

Dear Officer Condidorio:

This letter is to inform you that the Board of Trustees of the Village of LeRoy, at its May 25, 1994 meeting took up in executive session the following Charges and Specifications against you:

In the Matter of LeRoy Police Department
Departmental Disciplinary Charges
against
Officer John J. Condidorio

Charge I. VIOLATION OF LE ROY POLICE DEPARTMENT RULES AND REGULATIONS, SECTION 2.11, which reads as follows:

Employees, while vigorous and unrelenting in the enforcement of the law, must maintain a strictly impartial attitude toward complainants, violators, witnesses and suspects.

Specification 1. Officer John J. Condidorio violated the above quoted section of the departmental Rules and Regulations in that, on April 17, 1994 at approximately 10:00 p.m. in a LeRoy Police vehicle on [REDACTED] Street in the Village of LeRoy, N.Y., while transporting a suspected violator, one [REDACTED]. [REDACTED], Officer Condidorio did not maintain his impartial attitude toward said [REDACTED] by saying to said [REDACTED] in response to what Officer Condidorio may have perceived to be veiled threats by said [REDACTED] to Officer Condidorio's home and family,

"You're not allowed on my property and if I ever catch you on my property your head will look worse than your brother's did," or similar words to that effect, a reference to the fact that recently said [REDACTED]'s brother had committed suicide by shooting himself in the head.

Specification 2. Officer John J. Condidorio violated the above quoted section of departmental Rules and Regulations in that, on April 17, 1994, at approximately 10:15 p.m., at the LeRoy Police Department Offices, Village Hall, LeRoy, N.Y., while discussing with one [REDACTED], a complainant, and the mother of the above mentioned [REDACTED], a complaint that the said [REDACTED]. [REDACTED] had made regarding Officer Condidorio's statement to [REDACTED]. [REDACTED], quoted in the specification set out above, Officer Condidorio did not maintain his impartial attitude toward the said [REDACTED]. [REDACTED] by becoming loudly argumentative with her and by repeating to her the words or substance which he had uttered toward her son, quoted above.

Charge II VIOLATION OF LEROY POLICE DEPARTMENT RULES AND REGULATIONS, SECTION 2.12, which reads as follows: Employees shall perform their duties in an efficient, courteous and orderly manner using patience and good judgement at all times. They shall not use harsh, profane or insolent language. They shall be courteous and civil in their dealing with the public and other employees.

Specification 1. Officer John J. Condidorio violated the above quoted section of departmental Rules and Regulations in that, on April 17, 1994 at approximately 10:00 p.m. in a LeRoy Police vehicle on [REDACTED] Street in the Village of LeRoy, N.Y. while transporting a suspected violator and a member of the public, one [REDACTED]. [REDACTED], Officer Condidorio failed to use patience and good judgement, used harsh and insolent language toward said [REDACTED]. [REDACTED], and failed to conduct himself in a courteous and civil manner toward said [REDACTED]. [REDACTED], by saying to said [REDACTED]. [REDACTED], in response to what Officer Condidorio may have perceived to be veiled threats by said [REDACTED] to Officer Condidorio's home and family, "You're not allowed on my property and if I ever catch you on my property your head will look worse than your brother's did," or similar words to that effect, a reference to the fact that recently said [REDACTED]. [REDACTED]'s brother had committed suicide by shooting himself in the head.

Specification 2. Officer John J. Condidorio violated the above quoted section of departmental Rules and Regulations in that on April 17, 1994, at approximately 10:15 p.m. at the LeRoy Police Department Offices, Village Hall, LeRoy, N.Y. while discussing with one [REDACTED], a complainant and member of the public, and the mother of the above mentioned [REDACTED]. [REDACTED], a complaint that the said [REDACTED]. [REDACTED] had made regarding Officer Condidorio's statement to [REDACTED]. [REDACTED], quoted in the specification set out above, Officer Condidorio failed to use patience and good judgement, used harsh and insolent language toward the said [REDACTED]. [REDACTED], and failed to conduct himself in a courteous and civil manner toward the said [REDACTED]. [REDACTED] by becoming loudly argumentative with her and by repeating to her the words or substance which he had uttered toward her son, quoted above.

You are advised that the Board voted not to sustain Specification 1. of Charge 1. However, all other specifications and charges were sustained by unanimous vote of the Board of Trustees.

In consequence of sustaining the above Charges and Specifications the Board of Trustees unanimously adopted the following disciplinary action:

1. You are to receive a Letter of Reprimand which is to be placed in your personnel file with the Village.
2. You are to receive counseling to be arranged through the Village physician to help you resolve shortcomings in dealing with police/community relations, especially in situations where police officers are required to deal with confrontational, difficult or emotionally charged situations.
 - (a) You are to execute a release of information form to be delivered to your counselor or other provider enabling him or her to report to the Village Board his or her evaluation and recommendations
 - (b) You are also to execute a release of information form to be delivered to the Village enabling your counselor to receive the otherwise confidential information in your personnel file regarding your employment with the Village.
 - (c) You are also to abide by and cooperate with all recommendations of such counselor for further evaluations or tests, therapies, or treatments, if found by the counselor or other provider to be necessary.

(d) The Village Board is to be kept informed by your counselor or other provider, and by you if you so desire, of the course of your counseling including evaluations, diagnoses, prognoses and progress reports.

3. The Village of LeRoy shall bear all costs of such counseling, therapy and treatment not covered by your Village Health Insurance Plan.

If you wish to dispute this result there is a grievance procedure outlined in the Agreement between the Village of LeRoy Police Department and the Service Employees International Union Local 200-C AFL-CIO.

Village of LeRoy

By: _____, Mayor

NOTICE OF CLAIM TO THE VILLAGE OF LEROY, VILLAGE OF LEROY POLICE DEPARTMENT and POLICE OFFICER JOHN CONDIDORIO, located in Village of Leroy, the County of Genesee and State of New York.

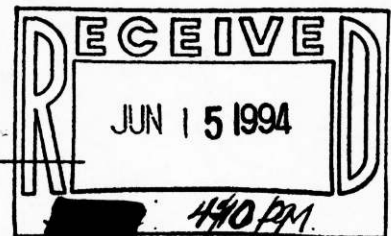
FROM THE CLAIM OF: [REDACTED], individually, and as parent of [REDACTED], a minor.

PLEASE TAKE NOTICE that [REDACTED] residing at [REDACTED] Street, Leroy, New York, 14482, (with telephone number [REDACTED]) hereby makes a claim against the Village of Leroy, Village of Leroy Police Department and Officer John Condidorio, of the Village of Leroy, County of Genesee and State of New York, pursuant to General Municipal Law §50-e (and such other statute and sections as may be applicable) for intentional infliction of mental distress upon both [REDACTED] and [REDACTED], which occurred on April 17, 1994, at approximately 10:00 and 10:30 in the evening, when Officer John Condidorio, first in his police car told [REDACTED] that if he thought his brother, [REDACTED], head looked bad, "wait till I get through with you". After that, when [REDACTED] mother, [REDACTED] went to the Leroy Police Station to find out if Officer Condidorio had actually said that to [REDACTED], Officer Condidorio stood in front of [REDACTED] and screamed at her "if you think [REDACTED] head looked bad, wait till I get through with [REDACTED]". ([REDACTED] son, [REDACTED] had committed suicide on November 6, 1993 by blowing his head off with a shotgun.) This was said within the hearing of the Dispatcher, [REDACTED]. The claimant has suffered great depression and emotional distress since her son, [REDACTED], committed suicide in a bedroom of her house. Her son, [REDACTED], has become extremely emotionally depressed and emotionally distressed since the death of his brother. They had both been gradually recovering from the extreme emotional shock of [REDACTED]'s sudden death, however now both [REDACTED] and [REDACTED] are again suffering from recurrent flashbacks to the condition of [REDACTED] and the bedroom immediately after the suicide. Both [REDACTED] and [REDACTED] have suffered setbacks in their recovery from [REDACTED]'s death since Officer Condidorio unleashed his emotional attack upon them, which was unwarranted, unnecessary, inappropriate and certainly outside the scope of proper professional conduct.

The Claimant, is represented by [REDACTED], [REDACTED], [REDACTED], New York [REDACTED] with the telephone number [REDACTED].

Dated: June , 1994

[REDACTED]



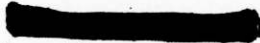
Sworn to me this
14th day of June, 1994.

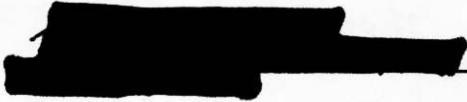
[REDACTED]

Notary Public in the State of New York
Monroe County No. [REDACTED]
Commission Expires 1-31 1996

VERIFICATION

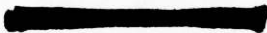
STATE OF NEW YORK
COUNTY OF GENESEE:

, being first duly sworn, deposes and says that she is the claimant in the within action and that she has read the foregoing notice of claim and that the same is true to the best of her own knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters, she believes it to be true.



Sworn to me this 14th
day of June, 1994.


Notary Public 


Notary Public in the State of New York
Monroe County No. 4705791
Commission Expires 1-31 1996

July 7, 1994

[REDACTED]
Chief of Police
Village of LeRoy
3 West Main Street
LeRoy, NY 14482

RE: Claim No: [REDACTED]
Insured: Village of LeRoy PD
Policy No: [REDACTED]
Claimant: [REDACTED], a minor and his mother [REDACTED]

Dear Chief [REDACTED]:

This will acknowledge receipt of a Notice of Claim filed in the above matter. It will further acknowledge our telephone conversation of July 5, 1994. The [REDACTED] allege that they were intentionally infected with mental distress by Officer John Condidorio of the Village of LeRoy Police Department. If you have any reports of this incident, we would appreciate receiving copies.

Claim file [REDACTED] has been opened for record-keeping purposes. If the [REDACTED] should proceed to file a lawsuit, please fax that lawsuit to my attention at [REDACTED]. Should you wish to contact me, I can be reached at [REDACTED], extension [REDACTED].

Thank you for your assistance and cooperation in this matter.

Very truly yours,

[REDACTED]
[REDACTED]
Sr. Claim Examiner

June 12, 1996

[REDACTED]
Chief of Police
Village of LeRoy
3 West Main Street
LeRoy, New York 14482

RE: [REDACTED] and [REDACTED], a minor v. Village of LeRoy,
Village of LeRoy Police Department, Police Chief [REDACTED]
and Officer John Condidorio
Index No. [REDACTED]

Dear Chief [REDACTED]:

I am writing to advise you that I appeared in Supreme Court this morning in Batavia, New York to argue our motion for summary judgment dismissing the complaint in the above referenced matter. The judge conditionally granted my motion. The reason it was conditionally granted is that the plaintiff's attorney has withdrawn as counsel for the plaintiff. What this means is that the plaintiff has 30 days to retain another attorney to reargue my motion, and if she fails to do so, the conditional granting of summary judgment will become final. Given the strength of our motion papers and the lack of merit to plaintiff's case, I do not expect that the plaintiff will be able to retain another attorney to represent her.

Please call if you have any questions.

Very truly yours,
[REDACTED]
[REDACTED]

[REDACTED]