

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: 11-05-90 TIME: 6:50 PM CR NUMBER: \_\_\_\_\_ PAGE 1 OF 2 PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 11-31-90 TIME: 7:15 AM LOCATION OF INCIDENT: \_\_\_\_\_ St

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

DETAILS OF COMPLAINT: Both boys were trick or treating on \_\_\_\_\_ St. when we saw the Leroy Police CAR pull up to two boys on the opposite side of the street that we were on. We stood there to see what was going on. The officer called us across the street and asked us if we were shooting any eggs? we said no. He then said I'm just going to search you to make sure. He just patted us down and then turn around and he did it again. He then checked our bags to

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)  
Pt. John Conditoro

WITNESS INFO: (name, age, address, telephone, employment)  
SAME

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: \_\_\_\_\_ DATE: 11-05-90

COMPLAINT RECEIVED BY: Lt. \_\_\_\_\_ BADGE #: 2

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: 11-05-90 TIME: 6:50 PM CR NUMBER: \_\_\_\_\_ PAGE 2 OF 2 PAGES

COMPLAINANT: [REDACTED] BIRTHDATE: \_\_\_\_\_

SUPPLEMENTARY INFORMATION: make sure there was nothing in them and he then told us to go ahead. After we were done TRICK OR TREATING we told our Mom & Dad what had happened. When we got in the car with Mom & Dad the police car went by and we told Dad that this was the guy who ~~went~~ had searched us. The police car then turned AROUND and put his lights on and pulled up next to us. The officer asked my dad if he had a problem. My dad said yes I think you may have violated my sons rights. My dad and the officer were ARGUING, my dad had said to the officer I heard you had frisked my boys, and the officer said, Yeah thats right. The officer then said that the Police Chief had told him to search the kids. After this my dad and the officer just argued a little bit and they drove AWAY.

[REDACTED]  
[REDACTED]  
[REDACTED]

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DATE OF REPORT: 11-05-90 TIME: 6:25 AM CR NUMBER: \_\_\_\_\_ PAGE 1 OF 2 PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: 8:50 PM LOCATION OF INCIDENT: St. LeRoy N.Y.

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

DETAILS OF COMPLAINT: Complainant was picking up his two sons on \_\_\_\_\_ St when he was advised that they had been frisked by a LeRoy Police Officer. At this time a LeRoy Police Vehicle drove by me and I looked over at him and then the police did a U-TURN - put his lights on and pulled up next to my vehicle and put his window down. The officer then asked me if I had a problem. I said yes, I think you violated my sons rights by frisking them. I officer agreed that

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)

Pt. Lt. John Conditorio

WITNESS INFO: (name, age, address, telephone, employment)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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COMPLAINANTS SIGNATURE: \_\_\_\_\_ DATE: 11-05-90

COMPLAINT RECEIVED BY: Lt. \_\_\_\_\_ BADGE #: 2

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: 11-05-90 TIME: 6:25 PM CR NUMBER: \_\_\_\_\_ PAGE 2 OF 2 PAGES

COMPLAINANT: [REDACTED] BIRTHDATE: [REDACTED]

SUPPLEMENTARY INFORMATION: he had frisked the two boys. I asked him why, he replied because they were standing there. The officer then stated that he had been instructed by the Police Chief to frisk the kids. At this point I told him I was going to go home and call the police station. He then said that's your right, and T. pulled away and left. When I got home I called and talked to Sgt [REDACTED] from the LeRoy Police Dept. [REDACTED]

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: 11-05-90 TIME: 9.50 PM CR NUMBER: \_\_\_\_\_ PAGE 1 OF 2 PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: APP 7:30 PM LOCATION OF INCIDENT: \_\_\_\_\_ Ave.

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

DETAILS OF COMPLAINT: \_\_\_\_\_ WAS TRICK OR TREATING WITH \_\_\_\_\_  
\_\_\_\_\_ AND \_\_\_\_\_. They were walking along \_\_\_\_\_ Ave  
when the Police car pulled over and officer Candidario came over  
and asked them if they had anything he would like. \_\_\_\_\_ did  
offer him a snickers bar. But the officer saw something in my  
pocket which was a flashlight and he patted me down saying he  
was checking for soap and eggs. He just patted ALL of us

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)  
PT/M John Candidario

WITNESS INFO: (name, age, address, telephone, employment)

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COMPLAINANTS SIGNATURE: \_\_\_\_\_ DATE: 11/05/90  
COMPLAINT RECEIVED BY: Lt. \_\_\_\_\_ BADGE #: 2

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: 11-05-90 TIME: 9:50 PM CR NUMBER: \_\_\_\_\_ PAGE 2 OF 2 PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

SUPPLEMENTARY INFORMATION: down and really did say anything more only that he might see us guys latter.

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: 11-06-90 TIME: 8:30 PM CR NUMBER: \_\_\_\_\_ PAGE 1 OF \_\_\_\_\_ PAGES

COMPLAINANT: \_\_\_\_\_ (\_\_\_\_\_) BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: 7:00 PM LOCATION OF INCIDENT: \_\_\_\_\_ Ave. LeRoy N.Y.

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

DETAILS OF COMPLAINT: \_\_\_\_\_ WAS TRICK OR TREATING WITH \_\_\_\_\_ AND \_\_\_\_\_ ON \_\_\_\_\_ Ave when they were stopped by officer Conditorio. The officer asked them if they had anything he would like. \_\_\_\_\_ offered him a candy bar. But the officer said no, that not what he mean. The officer then frisked the boys and checked there bags for any eggs, soap or wax. Complainant & father does not want to file a formal complaint at this time.

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)

Pt/m John Conditorio

WITNESS INFO: (name, age, address, telephone, employment)

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COMPLAINANTS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

COMPLAINT RECEIVED BY: Lt \_\_\_\_\_ BADGE #: 2

THE LEROY POLICE DEPARTMENT ENCOURAGES CITIZENS TO REPORT LEGITIMATE COMPLAINTS AGAINST EMPLOYERS 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: 11-06-90 TIME: 8:45 pm CR NUMBER: \_\_\_\_\_ PAGE 1 OF \_\_\_\_\_ PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: 7:15 pm LOCATION OF INCIDENT: \_\_\_\_\_ \_\_\_\_\_ Ave.

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

DETAILS OF COMPLAINT: I was Trick or Treating with \_\_\_\_\_  
and \_\_\_\_\_ when a Leroy Police car pulled up and Officer  
Candidorio told us to wait and he parked his car. He came over  
and asked us if we had anything that he might want. And we offered  
him a candy bar. He said no, ~~I mean~~ that's not what I mean and  
he walked us over by the police car. When we got over by the  
car he frisked us down. He did this to ALL four of us. \_\_\_\_\_

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)

Pt/m. John Candidorio

WITNESS INFO: (name, age, address, telephone, employment)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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COMPLAINANTS SIGNATURE: \_\_\_\_\_ DATE: 11-06-90

COMPLAINT RECEIVED BY: \_\_\_\_\_ BADGE #: \_\_\_\_\_



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: 11-06-90 TIME: 6:35 PM CR NUMBER: \_\_\_\_\_ PAGE 1 OF \_\_\_\_\_ PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: 8:10 PM LOCATION OF INCIDENT: \_\_\_\_\_ ST

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

DETAILS OF COMPLAINT: I WAS WALKING ON \_\_\_\_\_ ST. TRICK OR TREATING WITH \_\_\_\_\_ when a LeRoy Police CAR stopped and the officer got out of the CAR AND ASKED US IF WE HAD ANY EGGS OR WAFFLES OR ANYTHING FOR HIM. WE SAID NO, AND THE OFFICER THEN TOOK HIS FLASHLIGHT AND LOOKED INTO OUR BAGS. AFTER HE LOOKED IN OUR BAGS HE HAD ME UNZIP MY SWEATSHIRT AND HE FRICKED US. HE CHECKED THE FRONT OF ME AND ON MY WHIST THEN ALL THE WAY DOWN

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)

Ptl. John Conditorio

WITNESS INFO: (name, age, address, telephone, employment)

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COMPLAINANTS SIGNATURE: \_\_\_\_\_ DATE: 11-06-90

COMPLAINT RECEIVED BY: \_\_\_\_\_ BADGE #: 11-06-90

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: 11-06-90 TIME: 6:35 PM CR NUMBER: \_\_\_\_\_ PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

SUPPLEMENTARY INFORMATION: my backside to my ankles. After this he said O.K. you guys are clean and he got back into his police car and drove away. \_\_\_\_\_

Additional Information supplied by \_\_\_\_\_  
At approx. 8:20 pm I was standing in front of my house and I saw the LeRoy Police car that was traveling south on \_\_\_\_\_ St. pull over to the north bound lane and had his bright lights on and stop with his rear end of the vehicle still in the roadway. My son \_\_\_\_\_ then came around the corner and I asked him what was going on and \_\_\_\_\_ said that officer Condiderio was checking everybody out for soap and eggs. This is when \_\_\_\_\_ told me that they had been "frisked" by the officer. At this point I became very upset and asked my son what had happened and he explained the above story to me. \_\_\_\_\_

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DATE OF REPORT: 11-13-90 TIME: 6:30 AM CR NUMBER: \_\_\_\_\_ PAGE 1 OF \_\_\_\_\_ PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: 6:50 AM LOCATION OF INCIDENT: \_\_\_\_\_ ST

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

DETAILS OF COMPLAINT: That on Oct. 31, 1990 I was out Trick or Treating with \_\_\_\_\_ on \_\_\_\_\_ St when officer Condiderio stopped and called us over to the police car. When we got there he was out of the car, and he asked us if we had soap, eggs or toilet paper, we replied no. He told me to turn around and then he frisked me but he didn't find anything. He then did the same thing to \_\_\_\_\_ and then sent us on our way.

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)

PT/M John Condiderio

WITNESS INFO: (name, age, address, telephone, employment)

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COMPLAINANTS SIGNATURE: \_\_\_\_\_ DATE: 11-13-90

COMPLAINT RECEIVED BY: Lt. \_\_\_\_\_ BADGE #: 02

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: 11-14-90 TIME: 6:40 PM CR NUMBER: \_\_\_\_\_ PAGE 2 OF 2 PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

SUPPLEMENTARY INFORMATION:

Additional informant taken from \_\_\_\_\_ Father \_\_\_\_\_ who witnessed the above incident.

After the officer had completed his search of \_\_\_\_\_ and \_\_\_\_\_ I, (\_\_\_\_\_) did approach Officer Condidario and ask him if there was a problem and he told me No, No problem and he got back in his patrol car and left.

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: 11-14-90 TIME: 6:40 PM CR NUMBER: \_\_\_\_\_ PAGE 1 OF 2 PAGES

COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (home) \_\_\_\_\_ (business) \_\_\_\_\_ (other) \_\_\_\_\_

EMPLOYMENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

DATE OF INCIDENT: 10-31-90 TIME: 7:30 PM LOCATION OF INCIDENT: \_\_\_\_\_ St.

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

DETAILS OF COMPLAINT: That on Oct 31, 1990 at approx 7:30 PM I was out Trick or Treating with \_\_\_\_\_, my sister \_\_\_\_\_, my brother \_\_\_\_\_, and my father \_\_\_\_\_.  
While on \_\_\_\_\_ St the LeRoy Police car pulled up and Officer John Condidorio asked me if I had any knives on me, or eggs, soap on me. I told him No. Officer Condidorio then said I don't believe you, he came over to me and searched my bag, my mask then he searched me by checking my pockets, lifting my shirt and padding me down. He found nothing and we left.

PERSONNEL COMPLAINED OF: (name or give physical description, badge #, car#)

Pt/m John Condidorio

WITNESS INFO: (name, age, address, telephone, employment)

father

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COMPLAINANT'S SIGNATURE: \_\_\_\_\_ DATE: 11-14-90

COMPLAINT RECEIVED BY: lt \_\_\_\_\_ BADGE #: 02

██████████  
SERGEANT

██████████  
LIEUTENANT

Village of Le Roy  
Department of Police  
LE ROY, NEW YORK 14482



██████████  
CHIEF OF POLICE

Intra-Departmental Correspondence

To: Chief ██████████  
From: Lt. ██████████  
Date: November 14, 1990

Subject; Personnel Complaints of October 31,1990

Chief:

on October 31, 1990 a personnel complaint was recieved by telephone by Sgt. ██████████ from a ██████████ stating that Ptlm. John Condidorio of the LeRoy Police Department had stopped his two boys ages 11 and 12,questioned the two boys and then frisked the two boys for no apparent reason. Mr. ██████████ also stated that while he was picking up the boys and they were telling him about this, Officer Condidorio did drive by them and then made a quick U-Turn and pulled up next to Mr. ██████████ and Officer Condidorio asked ██████████ if there was a problem? Mr. ██████████ replied Yes, I think you violated my sons rights by frisking them. Officer Condidorio agreed that he had frisked them, and when John was asked why John replied because they were just standing there.A brief argument then ensued between Mr. ██████████ and the Officer and Officer Condidorio stated to the complainant that he had been instructed by the Police Chief to frisk the kids.

██████████  
SERGEANT

██████████  
LIEUTENANT

Village of Le Roy  
Department of Police  
LE ROY, NEW YORK 14482



██████████  
CHIEF OF POLICE

Statements That Tend to Support the Complaint

A signed written statement given to Lt. ██████████ on 11-05-90 by ██████████ and a signed written statement given by ██████████ and ██████████ in regards to the incident that occurred on October 31, 1990 on ██████████ Street, in the Village of LeRoy. Said statement being attached hereto and made a part hereof.

Additional statements taken from ██████████ and ██████████, who also related that they were stopped and frisked by Officer Condidorio on ██████████ Avenue on October 31, 1990 for no apparrent reason.

Additional statement taken from ██████████ along with additional information supplied by ██████████. ██████████ relating that he was stopped on ██████████ St. by Officer Condidorio for no apparrent reason and was frisked. ██████████ stating that she had observed Officer Condidorio searching a group of youths on ██████████ St.

Additional statements taken from a ██████████ and ██████████ stating that they had been stopped and frisked by Officer Condidorio on South St. on October 31, 1990 for no apparrent reason. This stop and frisk was also witnessed by ██████████ the father of ██████████.

Interview with Officer Condidorio conducted by Sgt. ██████████ on the night of Oct. 31, 1990 where Officer Condidorio did admit that he had done this to alot of kids.

Officer Condidorio's written report explaining the events of October 31, 1990.

██████████  
SERGEANT

██████████  
LIEUTENANT

Village of Le Roy  
Department of Police

LE ROY, NEW YORK 14482



██████████  
CHIEF OF POLICE

Statements That Tend to Refute Complaint

Officer Condidorio's written report that explain his actions and reasons for what he had done on the night of October 31, 1990. This report also explains his reasons for making these stops.

An oral interview conducted by Lt. ██████████ with a ██████████ of ██████████ ██████████ ██████████ in which Mr. ██████████ stated that he was in LeRoy to escort his young sister for Trick or Treating and that while they were on ██████████ St. someone had thrown an egg at them. also, that while they were on South Street they did see a large group of youths throwing eggs. They did report this to Officer Condidorio on ██████████ St...

Oral interview conducted by Lt. ██████████ with a ██████████ ██████████ ██████████ who stated that she had observed Officer Condidorio stop a group of Kids including her nephew, on the Main St. bridge and she felt that Officer Condidorio acted in a very professional and courteous manner to the kids.



██████████  
SERGEANT

██████████  
LIEUTENANT

Village of Le Roy  
Department of Police  
LE ROY, NEW YORK 14482



██████████  
CHIEF OF POLICE

Investigative Summary

- 1) That Officer John Condidorio did Stop-Detain and Frisk without just probable cause ██████████ and ██████████ on ██████████ Street in the Village of LeRoy N.Y. on October 31,1990.
- 2) That Officer John Condidorio did on October 31, 1990 indicate to ██████████ that he , Officer Condidorio, did conduct these frisk of ██████████ and ██████████ and he did imply that this was done with the request of the Chief of Police.
- 3) That Officer John Condidorio did Stop-Detain and Frisk without just probable cause ██████████ and ██████████ on ██████████ Avenue in the Village of LeRoy N.Y. on October 31,1990.
- 4) That Officer John Condidorio did Stop-Detain and Frisk without just probable cause ██████████ on ██████████ Street in the Village of LeRoy N.Y. on October 31, 1990.
- 5) That Officer John Condidorio did Stop-Detain and Frisk without just probable cause ██████████ and ██████████ on ██████████ Street in the Village of LeRoy N.Y. on October 31, 1990.

Conclusion

That after reviewing all statements made in regards to the Personnel Complaints filed against Officer John Condidorio in regard to the incidents of October 31,1990 I find that in fact Officer Condidorio did Stop-Detain and Frisk these complainants without just probable cause and find that these complaints should be sustained.

Respectfully submitted,

██████████  
Lt. ██████████  
LeRoy Police Dept.

TO: Chief [REDACTED]  
FROM: Patrolman John J. Condidorio  
RE: Halloween Complaint

Here is the written report that you requested in reference to the Halloween complaint 1990.

Let me first start by stating that I did nothing this year that I didn't do last year. I check multiple trick-or-treaters on that night. I did so only after setting a certain guideline/criteria to follow and because I received multiple reports of mischief throughout the evening. Substantial damage to persons and property can take place on that night.

The reasons for this check are obvious:

- 1) To locate articles that are capable of creating damage to property and persons. As we know, Halloween is usually a night in which a good amount of damage and mischief is created. Some damage is minor, while other damage can be a major expense and problem to the victim.
- 2) Speak with the trick-or-treaters, let them know that I am in the area in case they need help or get into trouble.
- 3) Be highly visible, let any would-be pranksters know that the police are taking a positive role to thwart off trouble or damage before it begins.

As I stated, there were a number of guidelines that I set before checking the trick-or-treaters:

- 1) The subject does not have a parent or guardian etc. visible. Supervised children are usually not the cause of damage.
- 2) The subject must appear to be 12 YOA or older. The age of the subject was difficult to determine because of the costume, so size was also an important factor. I picked the age of 12, as I believe that this is the age in which kids start to "test" and "dare" each other, and the "order of rank" starts to establish.
- 3) The subject would wear a costume which had pockets that could hide items capable of creating damage. The uncostumed person, I've found to be too busy supervising the other children to cause damage themselves.

Once I've located a subject to check, I tried in every case to follow the same approach and pattern of checking:

- 1) Approach the person, ask if I could speak with them, or ask if they would speak with me.
- 2) Ask if they had any items that they shouldn't be carrying, or that I should know about.
- 3) At this point, any subject who stated that they did not have any questionable items, and that I could check them if I wanted to, would be checked.
- 4) I would then speak to the other person who accompanied the first subject. I would ask them specifically if they had any eggs, knives, matches, etc. Any items capable of creating damage, that were offered, would be seized.
- 5) I would then ask if I could check them. If the subject stated "Yes", then I would check the person. Again, any items that were found, that were capable of creating damage were seized.

In the complaint, the word "frisk" was mentioned. I did visually check and "pat" certain pockets, but this was by no means a traditional "pat down." During this check, I again would use a certain pattern:

- 1) All jacket/costume and inner jacket pockets were checked.
- 2) The front and rear waist band was visualized for knives, sticks/clubs, and toy guns that appeared real.
- 3) I did check the sneaker area, around the ankles for matches.
- 4) No trick-or-treater was arrested or asked to stop trick-or-treating.

My duties as a police officer are to protect not only the citizen, but also their property. On a night in which most parents allow their children to roam the streets unsupervised, when they normally would not, places a heavy burden on the police. Since the potential for crime and damage significantly rise on this night, I believe that the police must raise their visibility to match this rise in damage potential.

This check of juveniles that occur on Halloween, would certainly not be a normal routine on any other night, but then again these juveniles would not be left unsupervised on any other night.

I don't believe I conducted any improper searches. Any child approached, consented to being searched. I did not attempt to intimidate any of these children. None of them seemed frightened or upset when I left them.

I believe it is important to note the items seized in this check of juveniles. All items listed below are secured in my personal locker.

- 1) Multiple firecrackers
- 2) Multiple matchbooks
- 3) Multiple lighters
- 4) Waxed candle
- 5) Multiple cigarette packs
- 6) Replica of a "9 mm Baretta, semi automatic pistol", which from any distance looks absolutely real!
- 7) Scaling knife with approx 5-6 inch blade
- 8) Surveyors marking post, which will probably cost money to replace as there was fresh dirt on it
- 9) Box cutter-razor blade
- 10) "butter-fly" knife
- 11) Fully workable "switch Blade" knife  
(parent of subject was notified)

Also, I did encounter one group which admitted to having thrown eggs. I searched them as well. Their "ammunition" was all gone. I chastised them and let them go.

I believe that it is also important to note, that the number of complaints that this department received were negligible for a Halloween night compared to similar towns like Pavilion and Oakfield.

[REDACTED]

There seems to be a question as to my conversation with Mr. [REDACTED]. I was Southbound on [REDACTED] St., when the [REDACTED] vehicle passed me going Northbound. I saw the vehicle stop and thought the driver wanted to speak with me. I received a report of kids throwing objects at vehicles earlier and thought that the [REDACTED] vehicle may have been damaged. I turned and proceeded Northbound and pulled to the left of Mr. [REDACTED]'s vehicle, as his vehicle was now fully to the right curb. I expected to quickly assess the situation or complaint then move on, or have the subject meet me to talk further. Mr. [REDACTED] immediately accused me of violating his childrens rights and scolded me for "patting down his children". I listened for a few seconds, but soon noticed traffic approaching. I quickly tried to explain to Mr. [REDACTED] that it was not unusual for unsupervised trick-or-treaters to be checked on Halloween night. Mr. [REDACTED] was quite upset and appeared to become more upset as I spoke. I advised Mr. [REDACTED] of my name, and advised him to contact the Chief of Police in the morning if he had any complaints or questions. I then left the area.

Lastly, Mr. [REDACTED] has accused me of stating " I was ordered by the Chief of Police to frisk the kids". I believe that in Mr. [REDACTED]'s angered state he either misheard me, or misinterpreted my statements to him. I deny making such statement or receiving such specific orders from the Chief of Police.

[REDACTED]

John J. Condidorio  
Patrolman

TO: Cheif [REDACTED]  
From: Patrolman John J. Condidorio  
RE: amendment to the Halloween complaint

Received 11/10/90  
[REDACTED]

I request that the original statment made by myself be amended.  
An error has been found and I request it be corrected.

On page 2 of the report, there is a paragraph which starts "I believe that it is important to note the items seized in this check of juveniles." A list of ten items is then printed. The error lies in #'s 9 and 10. These items, the box cutter razor blade, and the butter-fly knife were not seized in the check of juveniles. These items were seized in a vehicle stop during the night of Halloween.

*JJC* [REDACTED]  
Patrolman John J. Condidorio



# Village of Le Roy

INCORPORATED IN 1834  
LE ROY, NEW YORK 14482  
716-768-2527

December 11, 1990

Officer John C. Condidorio  
Village of LeRoy Police Department  
3 West Main  
LeRoy, NY 14482

Dear Officer Condidorio:

In accordance with the provisions of Section 75 of the New York State Civil Service Law and the procedures outlined therein, you are hereby notified of the following charges against you:

## Charge 1

Officer John J. Condidorio, while on duty in the Village of LeRoy, New York, on October 31, 1990, did stop, detain, search and frisk thirteen (13) juveniles. All said actions of stopping, detaining, searching and frisking were done without probable cause or justifiable legal reason. Officer Condidorio's actions were in violation of the Fourth Amendment of the U.S. Constitution, namely "The rights of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized".

## Specifications 1

Officer John J. Condidorio did stop, detain, search and frisk without probable cause and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable cause and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable cause and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Officer John J. Condidorio did stop, detain, search and frisk without probable casue and any justifiable legal reason [REDACTED], a minor less than the age of [REDACTED] years of age, while said minor was trick or treating on Halloween evening, October 31, 1990.

Charge 2.

Officer John J. Condidorio on the evening of October 27, 1990 wore his official police uniform to a social function. This action is contrary to the Agreement between the Village of LeRoy Police Department and the Service Employees' International Union, Local 200-C, AFL-CIO, dated June 1, 1990 - May 31, 1993, Article XVII, Section 2 (a) " The Village shall provide all uniforms for each member, elements of which shall be worn only on official business, to include such appropriate time before and after official business to allow the employee to travel to and from his home".

Specification 2.

On October 27, 1990, Officer John J. Condidorio did attend a Halloween Costume Party that was held at the [REDACTED] on [REDACTED], LeRoy, New York. That at this party he was wearing the Official Uniform of the LeRoy Police Department and that he did use as part of the costume his Police issued handcuffs to handcuff himself to his wife.

You are allowed until the 20th day of December, 1990, to make and file your answer in writing to these charges. Such answer should reach the office of the undersigned at 3 West Main Street, LeRoy, New York, at or before five o'clock in the afternoon on said 20th day of December, 1990.

You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney or a representative. You should be prepared at such hearing to present any witnesses and other proofs as you may have in your defense against these charges. Such hearing will be held at 10:00 o'clock in the morning on December 28, 1990, in the upstairs room of the Municipal Building, 3 West Main Street, LeRoy, New York. The hearing will be conducted by Wyoming County Sheriff [REDACTED], who has been duly designated for that purpose in accordance with Section 75 of the Civil Service Law.

If you are found guilty of any of the above charges, the penalty or punishment imposed on you may consist of either dismissal from the service, demotion in grade and title, suspension without pay for a period not exceeding two months, a fine not exceeding \$100, or a reprimand.

All further notices and communications addressed to you in connection with these charges will be mailed to your latest address on record in the personnel office of this institution, which is [REDACTED] LeRoy, New York, unless you request in writing that the same be sent to you at a different address.

Very truly yours,

[REDACTED]  
Mayor Village of LeRoy

cc: [REDACTED], Union Steward  
Service Employees' International Union



DESIGNATION OF HEARING OFFICER

Date: December 11, 1990

TO: [REDACTED]  
Wyoming County Sheriff  
145 North Main  
Warsaw, NY 14569

FROM: [REDACTED]  
Mayor, Village of LeRoy

Pursuant to Section 75 of the Civil Service Law, you are hereby designated and directed to hold a hearing on the charges contained in my letter of December 11, 1990, addressed to John J. Condidorio, Police Officer, and on any amendments or supplements to such charges as may hereafter be preferred by me. You shall cause a transcript to be made of such hearing and, following your analysis, you shall submit the record of such hearing to me, with your recommendations, for my review and decision.

[REDACTED]  
Mayor, Village of LeRoy

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IN the matter of the  
Village of LeRoy  
Board of Trustees

vs

Officer John J. Condidorio  
of the Village of LeRoy  
Police Department

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STIPULATED SETTLEMENT OF  
CHARGES UNDER SECTION 75  
OF THE NEW YORK STATE  
CIVIL SERVICE LAW

WHEREAS the Village Board of LeRoy has informed Officer John J. Condidorio of the LeRoy Police Department that his actions in searching certain minors in the Village of LeRoy on or about October 31, 1990, Halloween evening, should result in charges of incompetency or misconduct pursuant to section 75 of the New York State Civil Service Law and Article 5 and Article 6 of the Agreement between the Village of LeRoy Police Department and Service Employee's International Union, Local 200-C, AFL-CIO, and

WHEREAS according to Section 75 of the New York State Civil Service Law, a person against whom removal or other disciplinary action is proposed shall have written notice thereof and of the reasons therefor, shall be furnished a copy of the charges preferred against him and shall be allowed at least eight days for answering the same in writing. The hearing upon such charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred, or by a deputy or other person designated by such officer or body in writing for that purpose. In case a deputy or other person is so designated, he shall, for the purpose of such hearing, be vested in all the powers of such officer or body and shall make a record of such hearing which shall, with his recommendations, be referred to such officer or body for review and decision. The person or persons holding such hearing shall, upon the request of the person against whom charges are preferred, permit him to be represented by counsel, or by a representative of a recognized or certified employee organization, and shall allow him to summon witnesses in his behalf. The burden of proving incompetency or misconduct shall be upon the person alleging the same. Compliance with technical rules of evidence shall not be required, and

WHEREAS pursuant to Article 5, Section 1, of the Agreement between the Village of LeRoy Police Department and the Service Employees' International Union, Local 200-C, AFL-CIO, (a) In any case where a disciplinary penalty is imposed upon any employees, the Employer shall notify the employee, and the Union's local union steward in writing of the specific reasons for such disciplinary actions. The written notification shall contain a detailed description of the charges, which shall include the dates, times and places. It is understood and agreed that any employee covered by this Agreement shall be entitled to Union representation at any hearing stage of the disciplinary proceeding. And (b) No employee shall be required to sign any

statement of an admission of guilt to be used in a disciplinary proceeding without being allowed to have Union representation, nor shall such employee be required to take a polygraph examination, and

WHEREAS Officer John J. Condidorio has been fully apprised and is fully aware of his rights and remedies pursuant to Section 75 of the New York State Civil Service Law and the Agreement between the Village of LeRoy Police Department and the Service Employees' International Union, Local 200-C, AFL-CIO, and

WHEREAS Officer John J. Condidorio knowingly, willingly, and without reservation waives his rights to a hearing under section 75 of the New York State Civil Service Law and the Agreement between the Village of LeRoy Police Department and the Service Employees' International Union, Local 200-C, AFL-CIO, and

WHEREAS Officer John J. Condidorio knowingly, willingly, and without reservation desires to enter into a Stipulated Settlement of this disciplinary matter according to the following terms:

1. Officer John J. Condidorio waives his rights pursuant to section 75 of the New York State Civil Service Law and the Agreement between the Village of LeRoy Police Department and the Service Employees' International Union, Local 200-C, AFL-CIO, for the alleged acts of incompetency or misconduct in the searching of certain minors in the Village of LeRoy on or about October 31, 1990, Halloween evening.

2. The agreed disciplinary actions concerning Officer John J. Condidorio are as follows:

A. Officer John J. Condidorio shall enter into retraining with Village of LeRoy Police Chief Samuel Steffenilla on the issues of search and seizure and shall cooperate fully with Chief Steffenilla in this retraining process;

B. Officer John J. Condidorio shall meet with the minors and the parents of said minors and which minors were the subject of the searches in the Village of LeRoy on or about October 31, 1990, Halloween evening. Officer John J. Condidorio shall be in the presence of Police Chief [REDACTED] at this time and shall inform the minors and the parents of the methods he should have followed under the search and seizure laws as afforded to us by the fourth amendment of the United States Constitution. Officer John J. Condidorio shall apologize to said subjects that these procedures were not followed.

C. Officer John J. Condidorio shall receive and accept two full days off from his employment with the Village of LeRoy Police Department without pay.

D. This stipulated settlement shall become public record.

E. This stipulation is in full satisfaction of all charges

and discipline resulting from the above-described incident of the searches of minors in the Village of LeRoy on or about October 31, 1990, Halloween evening.

Dated: December 5, 1990.

Officer John J. Condidorio

████████████████████  
Village of LeRoy

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: Oct 12, 1992 TIME: 5:30 PM CR NUMBER: 925750 1 OF 2

COMPLAINANT: [REDACTED] BIRTHDATE: [REDACTED]

ADDRESS: [REDACTED]

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

EMPLOYMENT: [REDACTED] ADDRESS: [REDACTED]

DATE OF INCIDENT: 10-12-92 TIME: 5:00 PM LOCATION: [REDACTED] St. LeRoy N.Y.

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

DETAILS OF COMPLAINT: *Complainant states that Officer Condidorio would not listen to her side of the complaint when she voluntarily came to office. He (John) never told me to stop when I left, I called and told him I would be back to his office. When he came to my place of work and arrested me he physically grabbed me without saying anything, yelled for me to drop the knife, twisted my right*  
PERSONNEL COMPLAINED OF: NAME OR GIVE PHYSICAL DESCRIPTION, BADGE #, ETC.

*Pt/m John Condidorio*

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

[REDACTED]  
*several youths from the AREA were also there*

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: 10-21-92

COMPLAINT RECEIVED BY: *lt.* [REDACTED] BADGE #: 2

THE LEROY POLICE DEPARTMENT ENCOURAGES CITIZENS TO REPORT LEGITIMATE COMPLAINTS AGAINST EMPLOYEES OF THE DEPARTMENT. 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: 10-27-92 TIME: \_\_\_\_\_ CR NUMBER: 925750 2 OF 2  
COMPLAINANT: \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

NARRATIVE CONTINUED:

ARM up behind my back, and pushed me against the side of the building. I had already dropped a razor knife that I had in my hand with my keys when John approached me. John then threw me down on the ground and put his knees into my back and pushed me against the building while he handcuffed me with my hands behind my back. I had told John before when I was at the office that I had just had surgery and then again while I was on the ground I told him I just had surgery, please get off me. He said that just to bad and he continued to cuff me. I have several bruises from this incident along with the area of my surgery started bleeding. My bruises were to my left arm - upper area, right arm - upper area, left cheek and left knee and ankle. Pictures of these bruises were taken on wed of that week.

At one point I did ask officer Conditorio to loosen the handcuffs so I could check my surgery area because I thought I was bleeding, but he said no, not at this time. The above cited facts along with the supplemental affid that I will be providing will include ~~at~~ a complete itemization of all the facts \_\_\_\_\_

TO: Chief [REDACTED]  
FROM: Lt. [REDACTED]  
SUBJECT: Personnel Complaint Against Patrolman John Condidorio  
filed by [REDACTED]

Chief:

On October 13, 1992, I was notified by you via telephone that you wanted me to start a departmental investigation on an arrest incident involving Officer John Condidorio and a [REDACTED]. This incident occurred on October 12, 1992 at approximately 6:00 p.m. on [REDACTED] Street in the Village of LeRoy.

When I returned to work on October 16, 1992 after being off sick for three days, I started my investigation into this incident.

On October 21, 1992 I was able to get a signed complaint from [REDACTED] which alleges that Officer John Condidorio (1) would not listen to her side of a complaint that Officer Condidorio was working on, (2) that he did not use proper judgment in handling the incident, and (3) that he used excessive force in effecting his arrest of [REDACTED].

Following will be the results of my investigation into these charges.

## STATEMENTS THAT TEND TO SUPPORT ALLEGATIONS

1) a signed, sworn complaint of [REDACTED] wherein she states that Officer Condidorio, after she had voluntarily come into the Police Department at his request, refused to listen to her side of the complaint wherein she stated that she could not have made these phone calls as she just had recent surgery and was home recuperating where she has no phone. When she went to leave the Police Department Office, Officer Condidorio made no attempt to stop her or even to try to convince her to stay and talk about the problem.

That when Officer Condidorio went to her place of work, he physically grabbed hold of her, without any warning or saying anything. Officer Condidorio then twisted her right arm, up behind her back, and pushed her against the side of the building. He then yelled for her to drop the knife, but she had already dropped the razor knife when he had approached her.

Officer Condidorio then threw her down on the ground and put his knees into her back and pinned her against the building while on the ground.

She also told Officer Condidorio to please get off her and that she had just had surgery. He said "that's too bad" and continued to handcuff her behind her back while kneeling against her on the ground.

(2) Written statement of [REDACTED] year old [REDACTED], who witnessed the altercation between Officer Condidorio and [REDACTED]. [REDACTED] states he saw Officer Condidorio run over to the lady, hit her with his night stick, then knock her down against



the window sill and put the handcuffs on her. The only thing he heard Officer Condidorio say was that she was arrested. [REDACTED] stated he was at the corner of [REDACTED] Street and [REDACTED] Street when he witnessed this.

(3) Written statement of [REDACTED] year old [REDACTED], who also witnessed the final part of the arrest where the girl was laying on the ground, handcuffed, and Officer Condidorio was arresting her.

Also interviewed but statements not obtained:

(4) Interviewed [REDACTED], who came out of the [REDACTED] while the altercation was in progress but he only saw the girl getting handcuffed and led away by the two officers. He didn't see anything wrong.

(5) Interviewed [REDACTED], age [REDACTED], who told me that he saw Officer Condidorio hit the lady with the night stick, throw her down on the ground and jump on her back, and then handcuffed her. He was willing to give a statement but several attempts to get the statement failed.

(6) Interview with [REDACTED], employee of [REDACTED], who was driving by the scene at the time the arrest was being made. He had nothing to add, only saw the Officers picking up and leading a girl away in handcuffs.

These were the only witnesses at the scene, according to Officers and witnesses.

(7) Written statement of Ptlm. [REDACTED] who was on the scene to assist Officer Condidorio. He stated that when he rounded the corner, he saw Officer Condidorio on top of [REDACTED], and

that Officer Condidorio was pinning her to the ground. That [REDACTED] [REDACTED] was handcuffed behind her back by Officer Condidorio. That Officer Condidorio handed him a large orange and black box cutter, who blade was extended. That Ptlm. [REDACTED] did assist in picking [REDACTED] up and walking her to the patrol car. At one point, she did refuse to walk any farther and she was carried the rest of the way.

8) Written statement of [REDACTED], who was the dispatcher at the time of the incident. Mr. [REDACTED], in a memo, states that [REDACTED] arrived at the Police Station at approximately 5:00 p.m. on October 12, 1992 and requested to speak to Officer Condidorio and she then entered the Police Department. A short time later, she exited the Police Department. She was obviously upset and left the building. A short time later Officer Condidorio exited the Police Department and stated [REDACTED] was going to get arrested. He had a warrant in his hand. John also said "She is not very happy".

Mr. [REDACTED] also relates a conversation between himself and [REDACTED] dispatcher at the Wyoming County Sheriff's Department. Miss [REDACTED] had received a call from [REDACTED] after she had left the Police Department. Mr. [REDACTED] states that Miss [REDACTED] had relayed that [REDACTED] was very upset and despondent over the whole thing and that [REDACTED] stated that Officer Condidorio would not listen to her and showed no compassion for her. Miss [REDACTED] also stated that she had talked [REDACTED] into going back or calling the LeRoy Police back.

Mr. [REDACTED] also relates a conversation between himself and

Officer Condidorio wherein he told Officer Condidorio that he (Mr. [REDACTED]) thought Officer Condidorio had been a little harsh with [REDACTED], given the situation. Mr. [REDACTED]'s concern over the way that Officer Condidorio handled the situation lead him to call Chief [REDACTED] and express his concern.

9) Telephone conversation to be followed up by a deposition and copies of taped conversation between Dispatcher [REDACTED] and [REDACTED] will be forwarded by the Wyoming County Sheriff's Office. Miss [REDACTED] states that [REDACTED] was very upset, stating Officer Condidorio would not listen to her, won't do nothing for her. Miss [REDACTED] had a conversation with Officer Condidorio and she felt Officer Condidorio did not take time or was patient enough with [REDACTED] to understand her, and was not willing to explore any alternatives. Some of the conversation was on a taped line.

10) Officer Condidorio's subject control report which is attached.

11) Officer Condidorio's written reply to Lt. [REDACTED]'s request for a full detailed report of arrest and clarification of the use of force that was written in his subject control report.

12) Also note that taped conversations between [REDACTED] and Officer Condidorio are in the possession of Investigating Officer and made a part of this investigation.

STATEMENTS THAT TEND TO REFUTE ALLEGATIONS

1) Officer Condidorio's statement that explains his attempts to converse with [REDACTED] at the Police Department and his attempts to convey that he had no choice but to arrest her and issue her an appearance ticket.

Officer Condidorio's knowledge that the defendant was despondent and had made several threats to harm herself. That she did have a weapon in her hand at the time he confronted her on [REDACTED] Street. That she did pull away from him and that he used physical force to affect his arrest, defend himself and to prevent the subject from injuring herself as she had threatened to do.

2) Statement from both Dispatcher [REDACTED] and Dispatcher [REDACTED] that [REDACTED] had threatened to harm herself before she would be arrested.

3) Taped conversation where [REDACTED] states she will kill herself before she gets arrested.

### INVESTIGATIVE SUMMARY

That on October 12, 1992 an incident did occur whereby Officer John Condidorio used physical force to effect his arrest of [REDACTED]. That this physical force used against [REDACTED] did cause injuries to [REDACTED]. That [REDACTED] did subsequently sign a complaint against Officer Condidorio, accusing and alleging that Officer Condidorio would not listen to her explanation and complaints involved with the original complaint he was investigating.

That when [REDACTED] left the Police Department, after their initial interview, Officer Condidorio made no attempt to stop her or inform him what would happen if she left the office.

That when Officer Condidorio went to [REDACTED] place of employment to take her into custody, a confrontation between them did occur. That during this confrontation, injuries to [REDACTED] did occur. She did receive multiple bruises and abrasions to her arms and legs. There was an aggravation to an area where [REDACTED] had recent surgery, causing minor bleeding from the area of the incision.

That during the altercation, it is alleged that Officer Condidorio did use physical force that was not necessary and that was excessive in its nature and amount.

It is my finding that the following did occur:

- 1) That Officer Condidorio did have a sign complaint filed against [REDACTED].
- 2) That [REDACTED] did voluntarily report to the Police Department at the request of Officer Condidorio. That while at the

Police Department, a conversation between Officer Condidorio and [REDACTED] did occur. That the nature of this conversation left [REDACTED] highly upset an agitated. That when she left the office, she was very despondent and Officer Condidorio made no attempt to stop her or even verbally try to stop her or calm her down. He just let her leave the office under these conditions.

3) That after obtaining a warrant of arrest, Officer Condidorio was again contacted by [REDACTED] and a telephone conversation did occur where [REDACTED] did make a threat that she would kill herself before she would be arrested. That there had also been previous threats to do harm to herself.

## CONCLUSIONS AND RECOMMENDATION

That after reviewing all statements made in regard to this incident and reviewing the taped conversations made in conjunction with this incident, I find the following conclusions.

1) That Officer Condidorio did have a signed, sworn complaint against [REDACTED] alleging that she had committed a crime of aggravated harassment against [REDACTED].

2) That [REDACTED] did voluntarily report to the LeRoy Police Department for an interview by Officer Condidorio. That during this interview, the situation deteriorated to the point where [REDACTED] became very upset and agitated over Officer Condidorio's manner of handling the situation. That [REDACTED] did get up and walk out of the Police Department and that Officer Condidorio made no attempt to stop her, calm her, or assure her. He just let her walk out in this highly agitated state of mind. That this brought about concerns of Dispatcher [REDACTED] and later, Dispatcher [REDACTED] of Wyoming County Sheriff's Department, to try and intercede in this matter.

3) That after [REDACTED] walked out of the office, Officer Condidorio did immediately contact Judge [REDACTED] to obtain a warrant for the arrest of [REDACTED] on the charge of aggravated harassment.

4) That after conversations with Dispatcher [REDACTED] and Dispatcher [REDACTED], Officer Condidorio was aware of [REDACTED] state of mind. That Officer Condidorio did talk to [REDACTED] on a taped telephone line. That Officer Condidorio did try to reassure [REDACTED], at one point, that she would be issued an

appearance ticket and released from custody. Then he followed with "You will speak to the Judge tonight". These inconsistencies led ██████████ to become highly outraged and upset and she did make a threat against her life by saying "I have a gun, I will kill myself", and she hung up the phone.

5) That at this point, Officer Condidorio now had to take ██████████ into custody for her own safety.

6) That at the scene of the arrest, Officer Condidorio did approach ██████████ from a distance, with his night stick drawn. He sprinted towards her and yelled. ██████████ froze. Officer Condidorio put his night stick away. As he was a few feet away from her, he did tell her that she was under arrest. He gave her no other commands. ██████████ did verbally express that this was "bull shit". Then Officer Condidorio did notice a box cutter -razor knife in ██████████ hand. That he then did grab her by the arm, twist her arm behind her back, and push her against the building. Officer Condidorio had lost sight of the knife and he ordered ██████████ to drop the knife. ██████████ stated she had already dropped the knife. Officer Condidorio then took ██████████ to the ground and with her arms behind her back and his knees pressing against her back, he proceeded to handcuff her behind her back. ██████████ was yelling and screaming that Officer Condidorio was hurting her, and reminding him that she had just had recent surgery. Officer Condidorio replied "that's too bad, you are under arrest".

7) That after this, the razor knife was located on the ground behind Officer Condidorio and was handed to Officer ██████████, who



had arrived on the scene.

8) [REDACTED] was then lifted from the ground by Officers Condidorio and [REDACTED]. After being requested by the Officers to put her shoe back on (her shoe came off during the struggle), she refused and was led to the police car by the Officers. At a point, [REDACTED] would not walk any further and had to be carried by the Officers.

9) That during this struggle, [REDACTED] did sustain multiple bruises and abrasions and that an incision from recent surgery had been aggravated by the force used to effect the arrest.

Therefore, it is the finding of this investigative officer, Lt. [REDACTED], that Officer John J. Condidorio did violate our General Order No. 335 - Subject Control Report. That he should have tried to control the arrest with verbal commands before he used any physical force. That he did not have a right to use physical force as the defendant, at the point of arrest, had not physically resisted him and she had not made any threats to use her weapon against him or any other person. I feel that if Officer Condidorio had attempted to control the situation with verbal commands, knowing that Officer [REDACTED] was close at hand, that this situation could have been handled without physical force.

[REDACTED]  
-----  
Lt. [REDACTED]

1. Agency <b>LeRoy Police</b>		2. Division/Precinct <b>New York State</b>		3. ORI <b>NY 0182300</b>			4. <input checked="" type="checkbox"/> Original <input type="checkbox"/> Supplement		5. Incident No <b>92-5661</b>																		
6. Report Day <b>Fri</b>		7. Date <b>10/09/92</b>		8. Report Time <b>1535</b>		Occurred On/From: <b>Fri</b>		9. Day <b>10/09/92</b>		10. Date <b>1530</b>		11. Time		12. Day		13. Date		14. Time									
15. Incident Type <b>Agg Harassment</b>				16. Business Name [REDACTED]				17. Weapon(s) —				A. —															
18. Incident Address (Street No., Street Name, Bldg. No., Apt. No.) [REDACTED]										19. City, State, Zip (□ C □ T <input checked="" type="checkbox"/> N Y) <b>LeRoy NY 14482</b>				20. Location Code <b>1923</b>				B. —									
21. OFF. NO. <b>5309</b>		LAW <b>PL</b>		SECTION <b>240.30</b>		SUB <b>01</b>		CL <b>A</b>		CAT <b>M</b>		DEG <b>2nd</b>		ATT <b>00</b>		NAME OF OFFENSE <b>Aggravated harassment 1</b>				CTS <b>V-1</b>		VICT. NO. <b>S-1</b>		SUSP. NO.		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"/> Y <input type="checkbox"/> N				E. —											
TYPE/NO <b>V-1</b>		NAME (LAST, FIRST, MIDDLE, TITLE) [REDACTED]						STREET NO., STREET NAME, BLDG. NO., APT. NO., CITY, STATE, ZIP [REDACTED]						TELEPHONE NO. [REDACTED]				F. —									
TYPE/NO <b>OT</b>		NAME (LAST, FIRST, MIDDLE, TITLE) [REDACTED]						STREET NO., STREET NAME, BLDG. NO., APT. NO., CITY, STATE, ZIP <b>11</b>						TELEPHONE NO. <b>71</b>				G. —									
24. Date of Birth		25. Age		26. Sex		27. Race		28. Ethnic		29. Handicap		30. Residence Status <input type="checkbox"/> Temp. Res. - Foreign Nat. <input type="checkbox"/> Tourist <input type="checkbox"/> Student <input type="checkbox"/> Other <input type="checkbox"/> Military <input type="checkbox"/> Not Indicated				I. —											
31. Type/No <b>S-1</b>		32. Name (Last, First, Middle) [REDACTED]						33. Alias/Nickname/Maiden Name (Last, First, Middle) [REDACTED]						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 checked="" type="checkbox"/> App Norm				K. —									
35. Address (Street No., Street Name, Bldg. No., Apt. No., City, State, Zip) [REDACTED]												36. Phone No. [REDACTED]				37. Social Security No. <b>30</b>				L. —							
38. Date of Birth		39. Age		40. Sex		41. Race		42. Ethnic		43. Skin		44. Occupation [REDACTED]				M. —											
45. Height		46. Weight		47. Hair		48. Eyes		49. Glasses		50. Build		51. Employer/School		52. Address [REDACTED]				N. —									
53. Scars/ Marks /Tattoos (Describe)								54. Misc.								O. —											
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				P. —											
62. Veh. Yr.		63. Make				64. Model		65. Style				67. Color		68. T. By: O W To:		69. Value		70. Drug Type		Quantity		Measure		Q. —			
66. VIN.				71. Narrative				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. NYS PIN Message No.			
75. Rep. [REDACTED]				76. ID No. <b>008</b>				77. Supervisor's Signature (Include Rank) [REDACTED]				78. ID No.				81. Notified/TOT				A use cover sheet							
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"/> Arrest <input type="checkbox"/> Pros. Declined <input type="checkbox"/> Warrant Advised <input type="checkbox"/> CBI <input type="checkbox"/> Juv. -No Custody <input type="checkbox"/> Arrest-Juv <input type="checkbox"/> Offender Dead <input type="checkbox"/> Extrad Declin <input type="checkbox"/> Unknown		80. Status Date		81. Notified/TOT		82. Page of Pages																					

THE PEOPLE OF THE STATE OF NEW YORK  
-vs-  
[REDACTED]

BE IT KNOWN THAT, by this [Information] I, [REDACTED], as the Complainant herein, [stationed] [residing] at [REDACTED] NY 14482, accuses [REDACTED], the above mentioned Defendant(s), with having committed the [Traffic infraction] [violation] [misdemeanor] [felony] of AGGRAVATED HARASSMENT IN THE SECOND DEGREE, in violation of Section 240.30, Subdivision 01 of the PENAL Law of the State of New York.

That on or about the 9TH day of OCTOBER, 1992 at about 3:30 [a.m.] [p.m.] in the Village of LeRoy, County of Genesee, the Defendant(s) did [intentionally,] [knowingly,] [recklessly,] [with criminal negligence,] and unlawfully, COMMIT THE CRIME OF AGGRAVATED HARASSMENT IN THE SECOND DEGREE. A PERSON IS GUILTY OF AGGRAVATED HARASSMENT IN THE SECOND DEGREE WHEN, WITH INTENT TO HARASS, ANNOY, THREATEN OR ALARM ANOTHER PERSON, HE COMMUNICATES OR CAUSES A COMMUNICATION TO BE INITIATED BY MECHANICAL OR ELECTRONIC MEANS OR OTHERWISE WITH A PERSON ANONYMOUSLY OR OTHERWISE, BY TELEPHONE OR BY TELEGRAPH, MAIL OR OTHER FORM OF WRITTEN COMMUNICATION, IN A MANNER LIKELY TO CAUSE ANNOYANCE OR ALARM.

TO WIT: THAT ON THE SAID DATE AND TIME, IN THE BUSINESS KNOWN AS [REDACTED], LOCATED AT [REDACTED] IN THE VILLAGE OF LEROY, COUNTY OF GENESEE, NEW YORK. THE SAID DEFENDANT DID WITH INTENT TO HARASS, ANNOY, THREATEN, AND ALARM YOUR COMPLAINANT, DID COMMUNICATE VIA TELEPHONE TO YOUR COMPLAINANT AND DID STATE "I'VE HEARD WHAT YOU SAID ABOUT ME AND MY KIDS AND I THINK YOU'RE A CUNT." THIS ACT DID HARASS AND ANNOY THE COMPLAINANT. ALL CONTRARY TO THE PROVISIONS OF THE STATUTES MADE AND PROVIDED.

The above allegations of fact are made by the Complainant herein [on direct knowledge and/or upon information and belief, with the sources of Complainant's information and the grounds for belief being the facts contained in the attached SUPPORTING DEPOSITION(s) of .....]

[WHEREFORE, complainant prays that a Warrant be issued for the arrest of the said Defendant(s)]

[WHEREAS, an Appearance Ticket was issued to the said Defendant(s), direction [him] [her] [them] to appear before this Court at 7:00 PM, on the ..... day of .., 19...]

in a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor. (PL Sec. 210.45)

Affirmed under penalty of perjury  
this 10 day of October, 1992

-OR-

[REDACTED Signature]  
Complainant

Subscribed and Sworn to before me  
this ..... day of .., 19.....

STATE OF NEW YORK : COUNTY OF Genesee

Justice COURT Village OF LeRoy

# Warrant of Arrest

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK:

To any Police Officer of the

LeRoy Police Dept and Wyoming county Sheriff's and NYS Police Department,

3 West Main St LeRoy NY 14482, N. Y.

An Accusatory Instrument having been this day laid before this court, that the offense of Aggravated Harassment PL 240.30 (01)

has been committed, and accusing [REDACTED], defendant  
[REDACTED] thereof.

YOU ARE, THEREFORE, COMMANDED forthwith to arrest the above named [REDACTED]

and bring her before this court at #3 West Main St LeRoy NY 14482

in the Village of LeRoy,  
County of Genesee, N. Y.

Issued this 12th day of October, 19 92.

[REDACTED] Judge - Justice

POLICE DEPARTMENT  
VILLAGE OF LE ROY, NY 14482

APPEARANCE TICKET  
C.P.L. 150.10

247308

PRINT ALL ENTRIES

TO: LAST NAME FIRST INITIAL  
[REDACTED]

IDENTIFICATION SHOWN DATE OF BIRTH  
[REDACTED]

PRE - ARRAIGNMENT BAIL

PRE - ARRAIGNMENT BAIL IS FIXED IN THE FOLLOWING AMOUNT RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED AND THE PERSON ARRESTED HEREIN IS RELEASED FROM CUSTODY TO APPEAR AS HEREIN DIRECTED.

**NOTICE:** IF PROVISION FOR BAIL IS HONORED, OFFICIAL ACCEPTING BAIL MUST FILL OUT COMPLETE TICKET ONLY AFTER RECEIVING BAIL.

AUTHORIZED OFFICER DEPT. & RANK  
[REDACTED]

UPON YOUR FAILURE TO APPEAR AS HEREIN DIRECTED, THE BAIL POSTED WILL BE FORFEITED.

YOU ARE HEREBY NOTIFIED TO APPEAR PERSONALLY IN THE  
VILLAGE COURT, VILLAGE OF LE ROY  
3 WEST MAIN STREET - LE ROY, NY 14482  
ON October 27 1992 AT 7:00 P.M.  
TO ANSWER A CHARGE OF Aggravated Harassment AN OFFENSE.  
COMMITTED IN ~~CITY/TOWN~~ VILLAGE OF Le Roy LE ROY, NEW YORK  
ON THE 9th DAY OF October 1992 AT 3:30 P.M.  
IN VIOLATION OF SECTION 240.30 SUB-DIVISION 01  
OF THE Penal LAW OF THE STATE OF NEW YORK.  
ISSUED THIS 12th DAY OF October 1992  
[REDACTED] OFFICER'S SIGNATURE 008 OFFICER'S IDENTIFICATION NO.

**NOTICE: DISPOSITION:** UPON YOUR FAILURE TO APPEAR AS ABOVE DIRECTED, A CRIMINAL SUMMONS OR A WARRANT FOR YOUR ARREST MAY BE ISSUED.

PENAL LAW ARREST CARD

6203269

LAST NAME FIRST NAME MIDDLE NAME  
[REDACTED]

ADDRESS CITY STATE  
[REDACTED] NY

COMPLAINANT OFFENSE  
[REDACTED] Agg. Harassment

ADDRESS  
Le Roy

AGE [REDACTED] DOB [REDACTED]  
SEX [REDACTED] COLOR [REDACTED]  
HEIGHT [REDACTED] S. S. No.  
WEIGHT [REDACTED] P. O. B. NY  
BUILD [REDACTED]  
COMPLEXION [REDACTED]  
HAIR [REDACTED]  
EYES [REDACTED] GLASSES [REDACTED]  
SCARS OR MARKS  
ALIASES [REDACTED]  
NATIONALITY USA  
OCCUPATION [REDACTED]

DATE	TIME	OFFICERS	DESPOSITION
<u>10/12/92</u>	<u>2000</u>	<u>Condicio</u> [REDACTED]	

VIOLATION PENAL LAW SECTION PL 240.30 (1)  
POLICE JUSTICE Hon. [REDACTED]

NEW YORK STATE  
**ARREST REPORT**

3. Case No. **92-5661**

1. Offense No. **none**  
2. FBI No. **none**

4. Ref. No.  
5. Arrest No. **3269**

6. Agency **LeRoy Police Dept**

7. Division / Precinct  
8. Division / Precinct

9a. **none**

**DEFENDANT INFORMATION**

9. Name (Last, First, Middle) [REDACTED]  
 10. Alias / Nickname / Maiden Name (Last, First, Middle) [REDACTED]  
 11. Phone Number **NONE**  
 12. Street Number and Name, Building No., Apt. No. [REDACTED]  
 13. City, State, Zip (C □ T □ V □) [REDACTED]  
 14. Residence Status  Resident  Foreign Non-Resident  Non-Resident  Unk  
 15. Place of Birth **NY**  
 16. Date of Birth [REDACTED] 17. Age [REDACTED] 18. Sex [REDACTED] 19. Race [REDACTED] 20. Ethnic [REDACTED] 21. Skin [REDACTED]  
 22. Height [REDACTED] 23. Weight [REDACTED] 24. Hair [REDACTED] 25. Eyes [REDACTED] 26. Glasses [REDACTED] 27. Build [REDACTED] 28. Marital Status [REDACTED] 29. U.S. Citizen  30. Citizen of [REDACTED]  
 31. Social Security No. [REDACTED] 32. Education [REDACTED] 33. Religion [REDACTED] 34. Occupation [REDACTED] 35. Employed  36. Scars / Marks / Tattoos (Describe) [REDACTED]

**ARREST INFORMATION**

37. Arresting Officer **JJ CONDORIO LP-8** 38. ID No. [REDACTED] 39. Assisting Officer [REDACTED] 40. ID No. **001** 41. Arrest Date **10/12/92** 42. Time **20:00** 43. Location of Arrest (C □ T □ V □) **ST CLEROY NY**  
 44. Juvenile  Further Process  Yes  No  
 45. Condition of Defendant At Arrest  Impaired Drugs  Mental Dis  App Norm  Impaired Alco  Inj/III  
 46. Weapon(s) At Arrest **YES BOX CUTTER** 47. Co-defendants Arrest No. [REDACTED]  
 48. Miranda  Yes  No 49. Miranda By [REDACTED] 50. Miranda Date [REDACTED] 51. Miranda Time [REDACTED] 52. Statements  Written  None  Verbal  
 53. Status  Bail / ROR  Parole  Probation 54. Search Warrant  Yes  No 55. ID Procedure  Line Up  None  Show Up  Photo  
 56. Arraignment Court [REDACTED] 57. Arraignment Judge [REDACTED] 58. Date [REDACTED] 59. Time [REDACTED] 60. Property  Yes  No 61. Evidence  Yes  No 61a. Processed By **#37** 61b. Disposition [REDACTED]

**CHARGE INFORMATION**

62. Incident No. [REDACTED] 63. Arrestee Status  ROR  Police Bail  Held  Cash Bail  Bail Bond  App Tkt  Rel to 3rd Party  
 64. Bail Amount [REDACTED] 65. Bondsman [REDACTED] 66. Photo No. [REDACTED]  
 67. Arrest Type  PW  IW  SUM  CIP  COMP  OP  FC  VOP  BW  LAW  OT  
 68. Warrant No. [REDACTED] 69. Arrest FOA  Yes  No 70. Other Agency [REDACTED] 71. F / P / Taken  Yes  No  
 72. Location of Offense (C □ T □ V □) **LeRoy Gen Hospital** 73. Offense Date **10/9/92** 74. No. Offenders **1** 75. No. Victims **1** 76. Return Court **V LeRoy** 77. Return Judge **Hon [REDACTED]** 78. Return Date **10/27/92** 79. Time **7:00p**  
 80. Defendant / Case - TOP Agency **TOT** 80a. Officer's Name **Benessee Mem Hospital** 80b. ID No. [REDACTED] 81. Time [REDACTED] 82. Date [REDACTED]

83. LAW	Article & Section	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE	CTS	NCIC Code	Age	Sex	Handicap	ASSOC. NO.	TYPE
PL	240.30	01	A	M	2nd	00	Agg Harassment	1	5309	28F	-	-	247308	APP UTT OTH
														APP UTT OTH
														APP UTT OTH
														APP UTT OTH
														APP UTT OTH
														APP UTT OTH
														APP UTT OTH
														APP UTT OTH

**ASSOCIATED PERSONS INFORMATION**

84. Person Type  
 OT = Other SP = Spouse CD = Co-Defendant SC = School PO = Parole Officer VI = Victim RE = Relative RP = Religious Person  
 EM = Employer CH = Child PA = Parent AS = Associate LA = Lawyer PR = Probation Officer WI = Witness CO = Complainant DR = Doctor

TYPE	NAME (LAST, FIRST, MIDDLE, TITLE)	STREET-NAME & NUMBER	CITY / STATE / ZIP	TELEPHONE NO.
CO	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**NARRATIVE**

85. #9 contacted via telephone to respond to pd. #9 did so but when advised that arrest papers were filed she became very upset & left, stating she was not going to be arrested. A.W. issued for #9. see CR# 925750 for further incident. #9 issued appearance ticket #247308 at Genesee Memorial Hospital to reappear #78

86. Arresting Officer's Signature [REDACTED] 87. ID No. **008** 88. Supervisor's Signature [REDACTED] 89. ID No. [REDACTED] 90. Arrest Made As A Result Of A SAFIS Latent Print Identification?  Yes  No  Unknown

91. [REDACTED] 92. [REDACTED] 93. [REDACTED] 94. Page 1 of 1

925750

LERoy DISPATCH OFFICE

DISPATCH CARD

TIME DISPATCHED

Location of Incident  
UNKNOWN

Nature of Incident  
RESPONDANT PERSON

Geo Code

Complainant's Name  
WYOMING Co. SHERIFF [REDACTED]

Address  
MAIN ST.

Phone

WARSAW

Remarks:  
[REDACTED] CALLED WYOMING Co SHERIFF  
AND ADVISED SHE WOULD HARM HERSELF DUE  
TO ARREST WARRANT BY LPD →

Back-up Cars

O.I.C.

Ambulance(s)

Fire Service(s)

Tow(s)

Received By  
LP21

Dispatched By  
LP21

Officer Assigned  
LP08

Incident Code  
54.10

Action Code  
2527

Reviewed By  
Sjt

TIME OF ARRIVAL

TIME COMPLETED

12 OCT 92 18 10

Additional Remarks: See Respondant person incident report, & record of Emergency Admission, [REDACTED]

1. Agency <b>LeRoy Police</b>		2. Division/Precinct		New York State <b>INCIDENT REPORT</b>		3. ORI <b>NY0182300</b> <del>92-5750</del>		4. <input checked="" type="checkbox"/> Original <input type="checkbox"/> Supplement		5. Incident No <b>92-5750</b>			
6. Report Day <b>Mon</b>		7. Date <b>10/12/92</b>		8. Report Time <b>1810</b>		Occurred On/From		9. Day <b>Same</b>		10. Date			
11. Time		Occurred To		12. Day		13. Date		14. Time					
15. Incident Type <b>Despondant Person</b>				16. Business Name <b>Village of LeRoy</b>				17. Weapon(s) <b>Box Cutter Razor Blade</b>					
18. Incident Address (Street No., Street Name, Bldg. No., Apt. No.) <b>St.</b>						19. City, State, Zip <b>LeRoy NY 14482</b>			20. Location Code <b>1923</b>				
21. OFF. NO.		LAW		SECTION		SUB		CL		CAT			
		<b>MHL</b>		<b>9.41</b>									
NAME OF OFFENSE						CTS		VICT. NO.		SUSP. NO.			
<b>Mental Health Arrest</b>						<b>-</b>		<b>V-1</b>		<b>S-1</b>			
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 type="checkbox"/> Y <input type="checkbox"/> N		
TYPE/NO		NAME (LAST, FIRST, MIDDLE, TITLE)				STREET NO., STREET NAME, BLDG. NO., APT. NO., CITY, STATE, ZIP				TELEPHONE NO.			
<b>V-1</b>		<b>Condidorio, John J.</b>				<b>3 W. Main St LeRoy NY</b>				<b>768-2527</b>			
<b>V-2</b>		<b>Village of LeRoy/State of NY</b>				<b>"</b>				<b>"</b>			
24. Date of Birth		25. Age		26. Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> U		27. Race <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other <input type="checkbox"/> Indian <input type="checkbox"/> Asian <input type="checkbox"/> Unk.		28. Ethnic <input type="checkbox"/> Hispanic <input type="checkbox"/> Unk. <input checked="" type="checkbox"/> Non-Hispanic		29. Handicap <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
30. Residence Status <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Commuter <input type="checkbox"/> Military <input type="checkbox"/> Not Indicated		31. Type/No <b>S-1</b>		32. Name (Last, First, Middle)				33. Alias/Nickname/Maiden Name (Last, First, Middle)				34. Condition <input type="checkbox"/> Impaired Drugs <input checked="" type="checkbox"/> Mental Dis <input type="checkbox"/> Unk. <input type="checkbox"/> Impaired Alco <input type="checkbox"/> Inj / Ill <input type="checkbox"/> App Norm	
35. Address (Street No., Street Name, Bldg. No., Apt. No., City, State, Zip)						36. Phone No. <b>none</b>			37. Social Security No.				
38. Date of Birth		39. Age		40. Sex		41. Race		42. Ethnic		43. Skin			
45. Height		46. Weight		47. Hair		48. Eyes		49. Glasses		50. Build			
51. Employer/School		52. Address		53. Scars/Marks/Tattoos (Describe)		54. Misc.							
55. Vic/Susp No.		Prop. Status		Article Code		Quantity		Make		Model			
		TABLE R		TABLE S									
56. Veh. Status		57. License Plate No.		58. State		59. Exp. Yr.		60. Plate Type		61. Vehicle Notes			
62. Veh. Yr.		63. Make		64. Model		65. Style		70. Drug Type		Quantity			
66. VIN.								TABLE		TABLE V			
67. Color		68. T. By: <input type="checkbox"/> O <input type="checkbox"/> W To:		69. Value									
71. <b>*Refer to CR # 92-5661 for Reason for Arrest Warrant.</b>													
While Attempting to Seize Arrest Warrant on S-1, S-1 Called V-1 (R/O) via Telephone and Threatened Suicide (see subject control report for wording), S-1 located at work. Upon S-1 exiting work, V-1 approached S-1, and noticed S-1 possessed orange/black Box Cutter Razor Blade. V-1 used physical force as per Article 35 Ph. to apprehend S-1. see subject control report. S-1 → office then → Genesee Mem Hospital for mental health evaluation, & treatment of Aggravation of Recut Surgery													
72. Inquiries (Check all that apply) <input type="checkbox"/> DMV <input type="checkbox"/> Want/Warrant <input type="checkbox"/> Scofflaw <input type="checkbox"/> Other <input type="checkbox"/> Vict. Refused to Coop. <input type="checkbox"/> Stolen Property				73. NYSPIN Message No. <b>008</b>		74. Complainant Signature				82. Page of Pages			
75. Reporting Officer Signature (Include Rank)				76. ID No. <b>008</b>		77. Supervisor's Signature (Include Rank)				81. Notified/TOT			
79. Case Status <input type="checkbox"/> Vict. Refused to Coop. <input type="checkbox"/> CBI <input type="checkbox"/> Juv - No Custody				80. Status Date Mo Day Yr				81. Notified/TOT					
<input type="checkbox"/> Open <input type="checkbox"/> Closed (If Closed, check box below) <input type="checkbox"/> Arrest <input type="checkbox"/> Pros Declined <input type="checkbox"/> Warrant Advised <input type="checkbox"/> Arrest - Juv <input type="checkbox"/> Offender Dead <input type="checkbox"/> Extrad Declin <input type="checkbox"/> Unknown				80. Status Date Mo Day Yr				81. Notified/TOT					



# ADDENDUM

A CONTINUATION OF A

Incident

REPORT

CR # 92-5750

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

Village of LeRoy

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

[REDACTED] St

SEC.

5. DATE OF INCIDENT

10/12/92

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

Both the Dispatch Audio tape, and the Box Letter were placed into evidence & tagged.

PAGE 2 OF 2

department addendum report

LeRoy Police

REPORTING OFFICER(S)

[REDACTED]

008

SUPERVISOR

1

# RECORD OF EMERGENCY ADMISSION

## PROVISIONS GOVERNING EMERGENCY ADMISSIONS

Section 9.39 of the Mental Hygiene Law provides for emergency admission to a hospital, for a period of 15 days, of any person alleged to have a mental illness for which immediate observation, care and treatment in a hospital is appropriate and which is likely to result in serious harm to himself or others.

"Likelihood to result in serious harm" is defined as:

(1) substantial risk of physical harm to himself as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that he is dangerous to himself;

OR

(2) a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.

Only hospitals approved by the Commissioner of Mental Health and maintaining adequate staff and facilities for the observation, examination, care and treatment of persons alleged to be mentally ill may receive and retain patients pursuant to this section of the law.

## PROCEDURE

- A. Upon admission the admitting physician shall examine the person alleged to be in need of emergency admission to the hospital, and shall certify below his finding that such person qualifies for admission under the provisions outlined above.
- B. He shall also record in the space below the name of the person or persons, if any, who brought the patient to the hospital, and the details of the circumstances leading to the hospitalization of the patient. As soon as possible after admission, further identifying data about the patient should be obtained and recorded on Form OMH 459, Identifying Data Sheet, and attached to this form.
- C. Within 48 hours of the time of admission of the patient, he must be examined by another physician who must be a member of the psychiatric staff of the hospital. The findings of this psychiatric examiner shall be recorded on the reverse side of this form.
- D. If the psychiatric examiner confirms the finding of the admitting physician, that the patient qualifies for admission under the provisions outlined above, the patient may then be retained for a period up to fifteen days from the date of his admission to the hospital.
- E. The patient may be retained beyond 15 days only by a new admission on an application supported by two new examining physicians' certificates, unless he agrees to remain as a voluntary or informal patient. In either case, the date of admission shall be deemed to be the date when the patient was first received as an Emergency Admission.

## RECORD OF ADMISSION

PATIENT NAME [REDACTED] AGE [REDACTED]

ADDRESS [REDACTED]

The patient was brought to this hospital at 19:25 pm on 10/12/92 by:

John J. Candidonio <sup>TIME</sup> Police Officer <sup>DATE</sup>

Patrolman <sup>NAME</sup> LeRoy Police Dept <sup>RELATION TO PATIENT</sup> Badge #008

LeRoy Police Dept <sup>OFFICIAL TITLE, OR BADGE NUMBER, IF ANY</sup> 3 W. Main St 716-718-2527

LeRoy NY 14482 <sup>ADDRESS</sup> <sup>PHONE</sup>

The circumstances which lead to the hospitalization of this patient were as follows:  
Verbal threats of "I will kill myself before I get arrested, I have a gun, I will use it!" Subject in possession of Razer Blade upon Arrest.

I have examined the patient named above and confirm his need for immediate observation, care and treatment for a mental illness which is likely to result in serious harm to himself or others.

# VILLAGE OF LEROY POLICE DEPARTMENT

## SUBJECT CONTROL REPORT

Date of Incident 10 | 12 | 92 | Time 18:15 CR# 92-5750  
 Nature of Incident: mental health Arrest Location: [redacted] St. LeRoy

Subject Name [redacted] [redacted] mental health 9.41 Arrested/Charged: Yes  No   
 Subject Address [redacted] D.O.B. [redacted]  
 Sex [redacted] Height [redacted] Weight [redacted]

Condition of Subject

Under the influence of alcohol	<input type="checkbox"/>	Ambulance used? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Suspected alcohol influence	<input type="checkbox"/>	Agency <u>LeRoy Volunteer Ambulance</u>
Under the influence of chemical drug	<input type="checkbox"/>	Where was the subject's injury treated?
Suspected chemical drug influence	<input type="checkbox"/>	<u>yes - LeRoy P.D.</u>
Abnormal Behavior	<input checked="" type="checkbox"/>	Name of attending Physician/Nurse:
Appeared normal	<input type="checkbox"/>	<u>Dr. [redacted] - Genesee Mem Hospital</u>

Was subject injured? Yes  No   
 Nature of subject injury: aggravation of recent surgery  
 Pre-existing injuries? [redacted]

Refused treatment? Yes  No   
 Witness to refusal: \_\_\_\_\_

Reason for the use of subject control techniques:

<input checked="" type="checkbox"/> Necessary to affect the arrest/order	<input type="checkbox"/> To prevent violent forcible felony
<input checked="" type="checkbox"/> Necessary to defend reporting officer	<input checked="" type="checkbox"/> To restrain for subject's own safety
<input checked="" type="checkbox"/> Necessary to defend another self (subject)	<input type="checkbox"/> Other (specify) _____

Level of Subject resistance

Verbal Threats  
 Explain: I'll kill myself before I get arrested, I have a gun and I'll use it.

Passive Resistance  
 Explain: while escaping → police car subject layed on ground & refused to continue → car. subject lifted by R/O & LP-09 & taken to car

Defensive Resistance  
 Explain: subject exited building with razor was forcibly restrained

Active Aggression - Pulling Away - Running  
 Explain: subject pulled away

Assisted Aggression - Pushing or Shoving

**TACTIC EFFECTIVENESS**

Describe what you did to control the subject. Be specific and use an addendum if necessary.

Initial wrist control of razored hand, subject pulled away then forced on ground with arm behind back, hand cuffed with hands ~~behind~~ behind back. While escorting → Police car subject layed on ground and was carried → Police car by P/O + LP [redacted]

\* Weapon possessed - Black & Orange Box Cutter

**STUDY LOG**

Document movement of subject

TIME		location	activity	officer(s)
start	finish			
18:15		[redacted] St	Originally taken into custody	Condido, J
18:15	18:18	[redacted] St → [redacted] St	Walked subject to patrol car	Condido, J / [redacted]
18:18	18:22	[redacted] St → Police Station	Transport → Police Station	Condido, J
18:56	19:22	Police Station → Greener Mem Hospital	LVA transport → Hospital Mental Health	Condido, J / [redacted]

**WITNESS**

name	address	telephone
[redacted]	[redacted]	day none
[redacted]	[redacted]	eve
[redacted]	[redacted]	day [redacted]
[redacted]	[redacted]	eve
[redacted]	[redacted]	day none
[redacted]	[redacted]	eve

**EMPLOYEES AT SCENE**

name	ON-on duty OFF-off duty		U-uniform P-plainclothes		Injured Y=yes N=no		medical treatment		addendum	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O. Condidorio, John J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
[redacted], [redacted]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ECH WORK  YES  NO  photos  diagram  other \_\_\_\_\_

BY: \_\_\_\_\_

O. scene Condidorio, John J. Reviewing C.O. \_\_\_\_\_

**COPIES ATTACHED**

crime  prisoner data  addendum(s)  
 inv. action  incident  tech. report  Other \_\_\_\_\_

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

LE ROY POLICE DEPARTMENT

PAGE 1 of 4

STATE OF NEW YORK  
COUNTY OF GENESEE  
VILLAGE OF LE ROY

Patrolman [REDACTED]  
DEPONENT

of 3 W. Main St., LeRoy, N.Y.

age [REDACTED] years.

occupation: Police Officer, states as follows:

That on 12 October 1992 at approximately 1805hrs Deponent was requested by Patrolman Condidorio to come to the junction of [REDACTED], and [REDACTED] Sts. Patrolman Condidorio directed Deponent to place his vehicle so that it would not be observable from [REDACTED] St. Deponent parked his vehicle in the [REDACTED] parking lot and walked around the north side of the building located on the corner of [REDACTED] And [REDACTED] Sts. where Deponent joined Patrolman Condidorio at the north east corner of the building outside [REDACTED]. At that time Patrolman Condidorio advised Deponent that a despondent female identified as [REDACTED] was inside one of the businesses in the [REDACTED] St. side of the building and that she had made statements of intent to harm herself and possibly others. Patrolman Condidorio also Advised Deponent that the subject had a warrant for aggravated harassment. Deponent then asked Patrolman Condidorio if it wouldn't be a good idea to have Deponent move to the southeast corner of the building in case the subject attempted to flee southward, in order to prevent subject from running onto [REDACTED] St. where she might get struck by an auto. Patrolman Condidorio advised dispatch to call the business that the subject was inside. Dispatch advised Patrolman Condidorio a minute or so later that there was no answer and that he had gotten an answering machine.

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

LE ROY POLICE DEPARTMENT

PAGE 2 of 4

STATE OF NEW YORK  
COUNTY OF GENESEE  
VILLAGE OF LE ROY

Patrolman [REDACTED]

DEPONENT

of 3 W. Main St., LeRoy, N.Y.

age [REDACTED] years.

occupation: Police Officer, states as follows:

Deponent again expressed his concern about the south end of the street and Patrolman Condidorio directed him to take a position at the southeast corner of the building. Deponent then moved around the building on the west side and as he approached the southeast corner he heard a woman yelling "Get off of me! Let go of me!" Deponent rounded the corner and observed Patrolman Condidorio on top of the subject, pinning her to the ground. Deponent observed that the subject was handcuffed behind her back. When Deponent reached Patrolman Condidorio and the subject Patrolman Condidorio handed deponent a large orange and black box cutter whose blade was extended. Deponent retracted the blade and placed it in his pocket. Deponent then assisted Patrolman Condidorio in getting the subject to her feet. The subject only had one shoe on and appeared highly distraught. Deponent attempted to calm subject down and directed her to put her foot into the shoe to avoid injury to her feet on the walk to the car. Subject refused to have shoe put back on. Deponent then assisted Patrolman [REDACTED]

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

LE ROY POLICE DEPARTMENT

PAGE 3 of 4

STATE OF NEW YORK  
COUNTY OF GENESEE  
VILLAGE OF LE ROY

Patrolman [REDACTED]

DEPONENT

of 3 W. Main St., LeRoy, N.Y.

age [REDACTED] years.

occupation: Police Officer, states as follows:

Condidorio in walking subject to Patrolman Condidorio's patrolcar, which was parked on [REDACTED] St. along the north side of the building. As Patrolman Condidorio and Deponent turned the corner onto [REDACTED] St. Subject "went limp" refusing to walk any further. Patrolman Condidorio and Deponent then carried the subject the rest of the way to the car. Patrolman Condidorio then transported subject to the LeRoy Police Station and Deponent secured the subjects auto and collected the names of bystanders for the subject control report. Deponent then returned to the station where Patrolman Condidorio had just removed subject from the patrolcar. Patrolman Condidorio and Deponent again asked if subject wanted to put on her shoes before walking across the parking lot and subject refused. Subject was walked across lot and into office. Subject made complaints of pain and possible bleeding from a surgical incision from a procedure she had had recently and Deponent asked her if she wished the ambulance to come so she could be looked at. She refused repeated offers of medical help. Subject was processed and transported to Genesee Memorial Hospital by LeRoy [REDACTED] Volunteer ambulance.

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 12 day of October, 1992.

[REDACTED]  
.....  
Deponent



VILLAGE OF LEROY  
DISPATCHERS OFFICE

3 WEST MAIN STREET  
LE ROY, N.Y. 14482  
716-768-2527

=====  
October 15, 1992

To: Lt. [REDACTED]  
From: [REDACTED] - Dispatch Supervisor  
Subject: [REDACTED] complaint

On Monday October 12, 1992 I recall Officer Condidorio working on an aggravated harassment complaint involving [REDACTED]. I believe Officer Condidorio contacted [REDACTED] at her place of employment which was located at [REDACTED] Street. He advised me that [REDACTED] would be here at approximately 5:00 pm, when she got out of work to speak to him. Shortly after 5:00 pm [REDACTED] came in the front door and asked for Officer Condidorio and entered the Police Dept as Officer Condidorio was in the office. A short time after she exited the Police Dept and was obviously upset. When Officer Condidorio exited the Police Dept shortly thereafter he advised me that [REDACTED] was going to get arrested and he had a warrant in his hand. He advised that "she is not very happy".

Approximately a half hour after [REDACTED] left this office I received a call from "[REDACTED]" who is a Dispatcher at Wyoming County Sheriff's Office. She advised that she received a call from [REDACTED] in regards to Domestic type complaints and that she had just left the LeRoy Police Department. [REDACTED] further advised that [REDACTED] was very depressed and she conveyed the point to [REDACTED] that she had complaints too, in regards to non-payment of child support and that the Officer that she talked to in LeRoy did not have much compassion for her complaints. [REDACTED] also advised that she had spent several minutes talking to [REDACTED] and it appeared to her that [REDACTED] was capable of doing harm to herself. She stated that she had talked [REDACTED] into either calling or stopping back here to clear the matter up. I advised her that I would either talk to Officer Condidorio or call a Supervisor to advise them of the conversation I had with Wyoming County in regards to [REDACTED] state of mind.

After several minutes I decided to talk to Officer Condidorio before calling a Supervisor as I had formed an opinion that Officer Condidorio had been a little harsh given the situation as it appeared to me at this point. Officer Condidorio and I discussed my opinion of what had happened for several minutes. He advised me that he was going to be very pleasant to her when she came back in given the circumstances he was made aware of. In the mean time, the phone rang and it was [REDACTED] asking for Officer Condidorio. I suggested to Officer Condidorio that he use the taped phone line, which he did, when he talked to her. During the course of the

conversation, which is on tape, I could only hear Officer Condidorio's side of the conversation. I do remember him stating to her that he had signed paperwork against her and he was only doing what he had to do as a Police Officer. In the course of the conversation she hung up on Officer Condidorio and he advised me that "she was going to get a gun and kill herself". Not knowing where she called from, I re-called Wyoming County and they had thought she was calling from the LeRoy area. I suggested to Officer Condidorio that she may be calling from work and he and Officer [REDACTED] proceeded to that area. I also suggested that we call a Supervisor which Officer Condidorio agreed with. At this point I contacted Chief [REDACTED] and advised him of the situation.

VILLAGE OF LEROY  
DEPARTMENT OF POLICE  
3 WEST MAIN STREET  
LEROY, NY 14482  
PH 768-2527

---

To: Ptlm. John J. Condidorio

October 17, 1992

From: Lt. [REDACTED]

Subject: Special Report Request

Per are conversations on October 16 and October 17 1992 in regards to an investigation I am conducting into the incident involving your arrest of [REDACTED] on October 12, 1992. I request that you submit a full written report to me giving me all the details of the arrest and any pursuant phone conversations that you had with the defendant prior to the arrest. I am also requesting that you clarify your Use of Force in your Subject Control Report to include your verbal commands given to the defendant at the time of your arrest.

I request that this report be returned to me as soon as possible but no later than 3:00pm October 20, 1992. If you have any further questions feel free to contact at your convenience.

Respectfully,

[REDACTED]  
Lt. [REDACTED]

OCTOBER 18, 1992

TO: LT. [REDACTED]  
FROM: PATROLMAN JOHN J. CONDIDORIO  
RE: ARREST OF [REDACTED]

THIS IS MY RESPONSE TO YOUR REQUEST FOR INFORMATION OF THE ARREST OF [REDACTED].

ON FRIDAY, 10/09/92 AT APPROXIMATELY 1535HRS, I RECEIVED A CALL FROM [REDACTED] OF [REDACTED]. [REDACTED] IS THE CURRENT WIFE OF [REDACTED] WHO IS THE EX-HUSBAND OF [REDACTED]. [REDACTED] STATED THAT ON 10/09/92 AT APPROXIMATELY 1530HRS, SHE RECEIVED A CALL FROM [REDACTED]. [REDACTED] ACCUSED [REDACTED] OF CALLING [REDACTED] A "CUNT" OVER THE TELEPHONE, AND WISHED [REDACTED] ARRESTED. I WAS UNABLE TO MEET WITH [REDACTED] DUE TO BOTH MY CASE LOAD AND HER SCHEDULE, SO THE CASE WAS NOT ACTED UPON UNTIL THE NEXT DAY.

ON 10/10/92, [REDACTED] CAME TO THE POLICE STATION. I SPOKE WITH [REDACTED] AND ADVISED HER THAT SHE HAD OPTIONS OTHER THAN ARREST, IF SHE WAS INTERESTED. ONE OF THESE OPTIONS WAS THAT I COULD CALL [REDACTED] AND REQUEST THAT SHE REFRAIN FROM FURTHER AGGRAVATING PHONE CALLS. [REDACTED] WAS INSISTENT THAT [REDACTED] BE ARRESTED. [REDACTED] EXPLAINED THAT AFTER THE PHONE CALL [REDACTED] ALLEGEDLY PROCEEDED TO [REDACTED] HOUSE AND CAUSED A MAJOR DISTURBANCE IN WHICH THE POLICE HAD TO BE CALLED. [REDACTED] BELIEVED THAT THIS ACTION WAS GOING TO CONTINUE UNLESS SHE DID SOMETHING TO STOP IT, AND THIS SOMETHING WAS TO HAVE [REDACTED] ARRESTED. [REDACTED] WAS INSISTENT THAT [REDACTED] BE ARRESTED. I REFERRED TO DISPATCH CR#925665 TO CONFIRM THE DISTURBANCE CALL AT [REDACTED] HOUSE, DATED 10/09/92. I COMPLETED THE INFORMATION AND THE INCIDENT REPORT AND HAD [REDACTED] SIGN BOTH.

I ATTEMPTED TO CONTACT [REDACTED] THAT DAY, AT HER RESIDENCE, AT [REDACTED] [REDACTED] IN THE TOWN OF [REDACTED], BUT SHE HAD NO HOME PHONE. I THEN CONTACTED THE STATE POLICE AND REQUESTED THAT THEY RESPOND TO THE AREA TO ATTEMPT TO LOCATE HER, AND HAVE HER CONTACT THIS OFFICE. THE STATE POLICE WERE UNABLE TO LOCATE THE [REDACTED] RESIDENCE.

ON 10/12/92 AT APPROXIMATELY 1600 TO 1630 HRS, I RESPONDED TO [REDACTED]. LOCATED AT [REDACTED] ST IN THE VILLAGE OF LEROY. I KNEW [REDACTED] WORKED IN THE AREA AND FOUND HER WORKING AT THIS BUSINESS. ONCE INSIDE I SPOKE WITH THE OWNERS, AND INTRODUCED MYSELF. I ASKED QUESTIONS ABOUT THE BUSINESS AND APPEARED INTERESTED IN THE SECURITY OF THE BUSINESS. I ALSO RETRIEVED EMERGENCY NIGHT CALL NUMBERS FOR THE DISPATCH AS THEY WERE UNAWARE OF THIS BUSINESS. AT NO TIME DID I DISCUSS THE AGGRAVATED HARASSMENT CASE WITH THE OWNERS OR [REDACTED] AT THIS TIME, AS I DID NOT WISH TO PUT [REDACTED] JOB IN JEOPARDY. AFTER I LEFT, I RETURNED TO THE DISPATCH OFFICE AND CALLED THE [REDACTED] ON THE TELEPHONE, KNOWING THAT [REDACTED] WOULD ANSWER, AS SHE WAS THE SECRETARY. I QUIETLY EXPLAINED TO [REDACTED] THAT I WAS WORKING ON A CASE AND WISHED TO SPEAK WITH HER AT THE POLICE STATION AFTER WORK. [REDACTED] AGREED.

AT APPROXIMATELY 1705HRS, [REDACTED] RESPONDED TO THE POLICE STATION. ONCE INSIDE OF THE POLICE OFFICE, I ADVISED [REDACTED] OF THE COMPLAINT. [REDACTED] IMMEDIATELY STARTED COMPLAINING THAT EVERYBODY WAS BELIEVING [REDACTED] AND NOBODY WOULD BELIEVE HER AS TO HER SIDE OF THE STORY. I ALLOWED [REDACTED] TO EXPLAIN AND SHE STARTED TELLING R/O OF HOW [REDACTED] HURT HER ARM WHEN SHE WENT TO PICK UP THE CHILDREN AT [REDACTED] HOUSE, AND [REDACTED] SHOWED ME SOME BRUISES ON HER RIGHT ARM. I TOLD [REDACTED] THAT IF THIS OCCURRED IN THE VILLAGE THEN SHE HAD A RIGHT TO COUNTER CHARGES, BUT THAT IF THIS OCCURRED

IN THE TOWN OF LEROY, THEN SHE WOULD HAVE TO CONTACT THE GENESEE COUNTY SHERIFF'S, OR THE STATE POLICE BATAVIA. [REDACTED] THEN TOLD R/O OF HOW [REDACTED] BROKE INTO HER HOUSE AND STOLE A DRESSER. AGAIN I ASKED WHERE DID THIS OCCUR AND [REDACTED] STATED WYOMING COUNTY. I ADVISED [REDACTED] THAT IF SHE WISHED TO PRESS CHARGES AGAINST [REDACTED] THAT SHE WOULD HAVE TO DO SO BY CONTACTING THE WYOMING COUNTY SHERIFF, OR THE STATE POLICE WARSAW. I ATTEMPTED TO EXPLAIN TO [REDACTED] THAT I DID NOT KNOW WHETHER THE PHONE CONVERSATION ACTUALLY TOOK PLACE, AS I WAS NOT THERE, BUT SINCE THE PAPERS WERE ALREADY SIGNED, THAT I WOULD HAVE NO CHOICE BUT TO ISSUE HER AN APPEARANCE TICKET. BEFORE I COULD EXPLAIN THIS PROCEDURE, [REDACTED] ABRUPTLY STOOD UP AND MADE THE STATEMENT THAT "I AM NOT GOING TO GET ARRESTED FOR THIS AS THIS IS BULL SHIT." [REDACTED] THEN HURRIEDLY WALKED OUT OF THE OFFICE BEFORE I COULD SPEAK WITH HER AGAIN. I DID NOT CHASE OR FIGHT WITH [REDACTED] AS SHE WAS OBVIOUSLY UPSET OVER THE SITUATION, BUT BEFORE LEAVING, [REDACTED] ADAMANTLY TOLD R/O THAT SHE WAS NOT GOING TO BE ARRESTED FOR THIS!

AFTER [REDACTED] HAD LEFT, R/O PROCEEDED TO JUDGE [REDACTED] RESIDENCE AND SHOWED HIM THE INFORMATION AND THE INCIDENT REPORT. I EXPLAINED TO THE JUDGE WHAT HAD HAPPENED AND REQUESTED A WARRANT BE SIGNED. JUDGE [REDACTED] SIGNED AN ARREST WARRANT, FOR THE ARREST OF [REDACTED] FOR AGGRAVATED HARASSMENT.

AT THIS POINT I PROCEEDED BACK TO THE LEROY POLICE DEPARTMENT AND CONTACTED THE WYOMING COUNTY SHERIFF'S VIA TELEPHONE. I SPOKE WITH [REDACTED] FROM THE SHERIFF'S DEPARTMENT AND ADVISED HER OF THE WARRANT FOR [REDACTED]. WHILE ON THE PHONE, I WAS ADVISED BY [REDACTED] THAT [REDACTED] WAS ON HER OTHER LINE, AND [REDACTED] WAS REQUESTING TO MAKE A COMPLAINT AGAINST [REDACTED] FOR ENTERING HER HOUSE AND TAKING BOTH THE CHILDREN AND THE DRESSER. AS I EXPLAINED THE SITUATION TO [REDACTED], [REDACTED] STATED THAT SHE WAS CONFUSED. [REDACTED] WAS UNDER THE IMPRESSION THAT THIS INCIDENT (THE TAKING OF THE CHILDREN AND THE DRESSER) TOOK PLACE YESTERDAY (10/11/92). I ADVISED [REDACTED] OF THE CORRECT DATE OF THE DOMESTIC, AND REQUESTED [REDACTED] TO TELL [REDACTED] OF THE WARRANT AND TO ASK HER TO RETURN TO THE LEROY POLICE DEPARTMENT. [REDACTED] AGREED AND THE CONVERSATION WITH [REDACTED] ENDED.

A FEW MINUTES LATER, I WAS ADVISED BY DISPATCHER [REDACTED] THAT WYOMING COUNTY SHERIFF'S WERE ON THE PHONE AND THAT [REDACTED] WAS TALKING FROM THE TOP OF HER HEAD. I QUESTIONED DISPATCHER [REDACTED] FURTHER AND HE EXPLAINED THAT [REDACTED] HAD MADE THREATS OF HARMING HERSELF TOWARD [REDACTED], THE WYOMING COUNTY DISPATCHER. A WHILE LATER [REDACTED] CONTACTED R/O VIA TELEPHONE. DURING THIS CONVERSATION, [REDACTED] ACCUSED R/O OF NOT BELIEVING HER AND EVERYBODY WAS TAKING [REDACTED] SIDE. I ATTEMPTED TO EXPLAIN THAT I WAS NOT TAKING SIDES AND THAT SINCE I WAS NOT THERE, I DON'T KNOW THE TRUTH, BUT THAT SINCE THE PAPERWORK WAS SIGNED SHE WOULD HAVE TO BE PROCESSED. I AM UNSURE OF WHAT ELSE WAS SAID DURING THE PHONE CONVERSATION AS I HAVE NOT BEEN ABLE TO RE-LISTEN TO THE TAPE, BUT DURING THE CONVERSATION, AT ONE POINT, [REDACTED] ABRUPTLY ENDED THE CONVERSATION BY STATING "I'LL KILL MYSELF BEFORE I GET ARRESTED FOR THIS AND I HAVE A GUN AND I WILL USE IT!". [REDACTED] THEN SLAMMED THE PHONE DOWN AS SHE HUNG UP. DISPATCHER [REDACTED] AND I WERE UNSURE OF WHERE [REDACTED] WAS CALLING FROM, BUT DISPATCHER [REDACTED] ADVISED R/O TO CHECK HER WORK ON MILL ST, AS SHE DOES NOT HAVE A PHONE AT HOME.

UPON ARRIVAL IN THE AREA, R/O PARKED MY PATROL CAR ON [REDACTED] ST, WEST OF THE CORNER OF [REDACTED] ST. I GOT OUT AND WALKED TO THE CORNER OF [REDACTED] ST AND [REDACTED] ST AND NOTICED A BLACK VEHICLE PARKED ON THE WEST SIDE OF [REDACTED] ST., FACING NORTH, DIRECTLY NEXT TO THE DOOR TO THE [REDACTED] ( [REDACTED] WORK). THIS SHOP IS LOCATED AT [REDACTED] MILL ST WHICH WOULD BE SOUTH OF MY LOCATION.

A CHECK OF THE LICENSE PLATE SHOWED THE VEHICLE BELONGED TO [REDACTED]. AT THIS POINT I REQUESTED OFFICER [REDACTED] TO RESPOND TO THE CORNER OF MAIN

AND MILL ST AND ADVISED NOT TO DRIVE ON MILL ST, NEAR THE POST OFFICE. DISPATCHER [REDACTED] SUGGESTED A SUPERVISOR CONTACTED AND R/O AGREED. PRIOR TO OFFICER [REDACTED]'S ARRIVAL, I SPOKE WITH A PASSERBY WHO WAS WALKING SOUTH ON [REDACTED] ST. I REQUESTED THAT WHEN HE DO SO, IF HE COULD LOOK IN THE WINDOW AND SEE IF THERE IS A GIRL SITTING INSIDE AT A DESK. THE PASSERBY WALKED BY THE WINDOW SOUTH BOUND, THEN A SHORT WHILE LATER WALKED BY AGAIN, THIS TIME NORTH BOUND BACK TOWARDS R/O. HE STATED THAT THERE WAS A GIRL INSIDE, AND DESCRIBED [REDACTED].

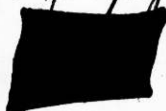
AT THIS POINT DISPATCHER [REDACTED] SUGGESTED CALLING THE SHOP, I AGREED AND WHEN DOING SO, HE GOT THE ANSWERING MACHINE. SOON AFTER THIS, SURPRISINGLY, OFFICER [REDACTED] ARRIVED AT MY LOCATION. WHEN QUESTIONED ABOUT THIS, IT APPEARED THAT DIRECTIONS GOT MIXED. AT THIS POINT OFFICER [REDACTED] SUGGESTED THAT HE RESPOND TO THE CORNER OF MAIN AND MILL. I WAS HESITANT TO SEND HIM, AS I BELIEVED THAT [REDACTED] WAS GOING TO EXIT THE SHOP SOON, AND GET INTO HER CAR. WE WAITED, BUT [REDACTED] DID NOT EXIT THE SHOP. I TOLD OFFICER [REDACTED] TO RESPOND TO THE CORNER OF MAIN AND [REDACTED] VIA BEHIND (WEST OF) THE BUILDING. BEFORE OFFICER [REDACTED] COULD COMPLETE THE TREK AROUND THE BUILDING, [REDACTED] EXITED THE SHOP AND IMMEDIATELY WENT TO OPEN HER CAR DOOR. I SPRINTED TOWARDS HER, TO MAKE SURE SHE DID NOT ENTER THE CAR. I FEARED THAT IF [REDACTED] GOT INTO THE CAR THIS WOULD HAVE CREATED AN EXCEPTIONALLY WORSE SITUATION. AS I APPROACHED [REDACTED], I YELLED TO HER, SHE APPEARED SURPRISED AND FROZE FOR A SECOND. AS I GOT A FEW FEET AWAY FROM HER I ADVISED HER THAT SHE WAS UNDER ARREST. [REDACTED] AGAIN COMPLAINED THAT THIS WAS A BULL SHIT COMPLAINT, AND STEPPED BACK. AS SHE DID SO, I NOTICED THAT [REDACTED] POSSESSED A ORANGE AND BLACK BOX CUTTER RAZOR BLADE. I IMMEDIATELY RECOGNIZED THIS AS I HAVE A SIMILAR RAZOR BLADE AT MY HOUSE.

I AM UNSURE AS TO WHAT WORDS WERE SAID AFTER I NOTICED THE RAZOR, AS THE FOLLOWING STRUGGLE HAPPENED SO QUICKLY.

BECAUSE OF THE FACT THAT I WAS SURPRISED TO SEE THE RAZOR, AND THE FACT THAT I WAS SO CLOSE TO, AND INSIDE [REDACTED] STRIKING DISTANCE, AND DID NOT KNOW WHAT SHE WAS GOING TO DO WITH THE RAZOR, I IMMEDIATELY GRABBED THE RIGHT WRIST, AS THIS WAS THE HAND IN WHICH THE RAZOR WAS POSSESSED. THIS WAS AN IMMEDIATE REACTION. IT WAS INSTINCTIVE AND OUT OF DEFENSE FOR MYSELF. [REDACTED] SCREAMED AND STRUGGLED WITH R/O, AND R/O LOST SIGHT OF THE RAZOR. I BELIEVED THAT AT THIS TIME, [REDACTED] HAD TRANSFERRED THE RAZOR TO THE OTHER HAND. OUT OF FEAR THAT I MAY GET SERIOUSLY INJURED WITH THE RAZOR, I TWISTED [REDACTED] WRIST BEHIND HER BACK AND WE CONTINUED TO STRUGGLE. I WAS FINALLY ABLE TO MANEUVER [REDACTED] ONTO THE GROUND, ON HER STOMACH, AND HANDCUFF HER BEHIND HER BACK. AT THIS TIME OFFICER [REDACTED] ARRIVED WHERE I WAS AND I HANDED HIM THE BOX CUTTER RAZOR BLADE THAT I FOUND LAYING BEHIND ME. WE THEN STOOD [REDACTED] UP AND ASKED HER TO PLACE HER SHOES BACK ON. HER SHOES CAME OFF DURING THE STRUGGLE. [REDACTED] WAS OBVIOUSLY UPSET AND REFUSED. [REDACTED] WAS COMPLAINING OF AGGRAVATION TO A RECENT SURGERY, BUT REFUSED MEDICAL TREATMENT.

WE WALKED [REDACTED] TO THE CAR BUT WHILE WALKING, SHE WENT LIMP, AND LAID DOWN. WE THEN CARRIED [REDACTED] THE REST OF THE WAY AS SHE REFUSED TO WALK. I DROVE [REDACTED] TO THE POLICE STATION, AND WHEN WE GOT THERE, SHE COMPLAINED THAT HER HANDCUFFS WERE TOO TIGHT. WE IMMEDIATELY LOOSENED ONE TO A SATISFACTORY POSITION AND THE OTHER ONE WAS OK. [REDACTED] WAS THEN ASKED TO PUT HER SHOES BACK ON BUT AGAIN REFUSED. SHE WAS THEN WALKED INTO THE OFFICE, AND WAS PLACED ON THE BENCH. LP01 ARRIVED SHORTLY THEREAFTER, AND WAS BRIEFED. LP01 ASSISTED R/O WITH TRANSPORTING [REDACTED] TO GENESEE MEMORIAL HOSPITAL FOR A MENTAL HEALTH EVALUATION, AND WHILE THERE, LP01 ISSUED [REDACTED] AN APPEARANCE TICKET SIGNED BY R/O, FOR THE AGGRAVATED HARASSMENT.

THE AUDIO TAPE AND THE BOX CUTTER RAZOR BLADE WERE ENTERED INTO EVIDENCE.



JOHN COND/DORIO  
PATROLMAN

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., N.Y. age [REDACTED] years,  
occupation [REDACTED], states as follows:

That on Oct. 12, 1992 at approx 5:30 - 6:00 PM I WAS  
At the basket-ball park on Mill St. with [REDACTED]  
[REDACTED] when we saw two cops  
at the side of [REDACTED]. I hopped on my  
bike and started for home, but when I got to the corner  
of [REDACTED] St and [REDACTED] St. I saw the two cops with their  
hands on their guns and John Condiorio was peeking around  
the corner by [REDACTED]. I left and went home. A short while  
later I went back to the corner and met up with my  
friends and I heard a girl yelling and I ask what that  
was and someone said it was a girl getting arrested. I  
then looked around the corner and saw a girl laying on  
the ground handcuffed and was getting arrested. I saw John  
and the other officer pick this girl up and take her to the  
police car. I never saw the officers hit her at all. [REDACTED]

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 20 day of October, 1992  
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

of [REDACTED] Le Roy, N.Y. DEPONENT  
age [REDACTED] years,  
occupation [REDACTED], states as follows:

That on Monday Oct 12, 1992 I was at [REDACTED] St. playground  
playing basketball with [REDACTED] and [REDACTED]. We  
left there and was going to [REDACTED] house, when we got  
to the corner of [REDACTED] St. I saw John Candidurio run over  
to this lady who had walked out of the store and he hit  
her in the side with his brown nightstick, he then knocked  
her down against the window sill and put the handcuffs on  
her and told her she was arrested. Approx. 5-7 minutes  
later the other officer [REDACTED] came up and helped John  
take the lady to the car. When this lady came out of  
the store she had an orange razor knife in her left hand  
and John kept telling her to drop it and she did drop it  
after John hit her. [REDACTED]

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 20 day of October, 1992  
OR

Subscribed and sworn to before me  
this \_\_\_ day of \_\_\_\_\_, 19\_\_

[REDACTED]  
Deponent  
[REDACTED]  
Witness  
\_\_\_\_\_  
Witness



# Village of Le Roy

INCORPORATED IN 1834  
LE ROY, NEW YORK 14482

716-788-2527

November 11, 1992

John Condidorio  
3 West Main  
LeRoy, NY 14482

of 2

Dear Office John Condidorio:

In accordance with the provisions of Section 75 of the Civil Service Law, you are hereby notified that the following charges are preferred against you.

## CHARGES

Charge 1 - You have violated General Order Number 335 - Subject Control Report - in that you used excessive and inappropriate physical force while on duty in the Village of LeRoy in bringing about the arrest of one, [REDACTED] on October 12, 1992.

Specification 1 - On October 12, 1992, before [REDACTED] [REDACTED] had a chance to respond to your arrest, without any physical resistance on her part, you sprinted at her, grabbed her arm, twisted her arm behind her back, and pushed her against the building. You put her face down on the ground with her hands behind her back, put your knees against her back and handcuffed her behind her back. You should have tried to control the arrest with the use of verbal commands which you did not do prior to the use of any physical force against [REDACTED].

Specification 2 - As a result of your actions on October 12, 1992 and the amount of physical force you used in effecting the arrest of [REDACTED], she subsequently did suffer bruises, abrasions and the reopening of a surgical wound which you were aware of prior to effecting the arrest.

Yours truly,

[REDACTED]  
Village of LeRoy  
Board of Trustees  
Mayor [REDACTED]

In the Matter of the Claim of

[REDACTED]

Claimant,

vs.

VILLAGE OF LEROY

*Received*  
11/13/92  
11:45  
[REDACTED]

**NOTICE OF CLAIM**

TO: [REDACTED], Mayor; [REDACTED], Village Clerk and the Board of Trustees of the Village of LeRoy:

**PLEASE TAKE NOTICE**, that Claimant, [REDACTED] makes and claims against the Village of LeRoy as follows:

1. The name and address of Claimant and her attorneys is as follows:

**CLAIMANT:**

[REDACTED]  
New York

**ATTORNEYS:**

[REDACTED]

2. The nature of the claim asserted by Claimant is premised upon the intentional actions of Officer John Condidorio, who while acting within the scope of his employment as a police officer of the Village of LeRoy, did intentionally beat, assault and use an excessive amount of force upon Claimant.

3. The claim occurred on the 12th day of October, 1992 at approximately 5:40 p.m. at [REDACTED] Street in Leroy, New York. At the above referenced time and place, Officer Condidorio did

intentionally beat, assault and use an excessive amount of force upon claimant.

4. As a result of the foregoing, claimant has suffered emotional distress and grievous bodily injuries including, but not limited to: severe contusions to her arms, elbow, knees, face, and wrists; swelling of her knee joints; and a creation of a wound dehiscence in her abdominal area which had recently undergone gynecological surgery.

**PLEASE TAKE NOTICE** that this claim is made and demand is hereby presented for adjustment in payment.

Dated: November 11, 1992

[REDACTED]

[REDACTED]

Telephone: [REDACTED]

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)  
COUNTY OF MONROE ) ss.:

[REDACTED], being duly sworn, deposes and says that deponent is the claimant in the within matter, deponent has read the within Notice of Claim and knows the contents thereof; that the same is true to deponent's knowledge except as to matters therein stated to be alleged upon information and belief and that as to such matters deponent believes it to be true.

[REDACTED]

Sworn to before me this  
day of November, 1992.

[REDACTED]

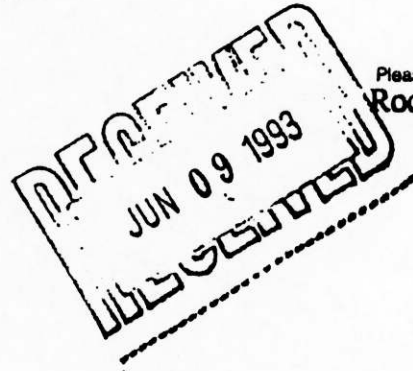
Notary Public

[REDACTED]  
NOTARY PUBLIC, State of New York  
Monroe County  
My Commission Expires 3/28/93

[REDACTED]  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
Please Reply To:  
Rochester

June 7, 1993



[REDACTED], Esq.  
Village of LeRoy  
LeRoy, New York 14482

Re: [REDACTED]

Dear [REDACTED]:

Enclosed are copies of three releases and a Stipulation of Discontinuance in the above-referenced matter. I have the originals of these documents in my possession.

I would appreciate it if you could request a check in the sum of \$20,000 payable to "[REDACTED] and [REDACTED], as attorneys".

Very truly yours,

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
cc: [REDACTED], Esq.

bps. [REDACTED]: Should you receive any inquiries concerning this settlement, please feel free to refer them to me.

[REDACTED]

To all to whom these Presents shall come or may Concern,

Know That [REDACTED]

as RELEASOR.

in consideration of the sum of One Dollar and other good and valuable consideration (\$ 1.00 ) received from VILLAGE OF LEROY, its employees, servants and agents

as RELEASEE.

receipt whereof is hereby acknowledged, releases and discharges VILLAGE OF LEROY, its employees, servants and agents

the RELEASEE, RELEASEE'S heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE; including but not limited to any and all causes of actions arising out of an incident which occurred on October 12, 1992, involving releasor and Officer John Condidorio as more particularly alleged in the Complaint in this action entitled:

" [REDACTED] v VILLAGE OF LEROY, [REDACTED] and JOHN CONDIDORIO", bearing Index Number [REDACTED].

The words "RELEASOR" and "RELEASEE" include all releasors and all releasees under this RELEASE.

This RELEASE may not be changed orally.

In Witness Whereof, the RELEASOR has hereunto set RELEASOR'S hand and seal on the 26th day of May 1993

In presence of

[REDACTED] L.S.

STATE OF NEW YORK COUNTY OF Genesee ss.: 1 On May 26th 1993 before me personally came [REDACTED]

to me known, and known to me to be the individual(s) described in, and who executed the foregoing RELEASE, and duly acknowledged to me that s he executed the same

Notary Public, State of New York Qualified in Genesee County My Commission Expires 2/28/95

[REDACTED] NOTARY PUBLIC

If the party making payment is not the same as the party released, delete words "as RELEASEE" and add names of parties released after the word "discharges."

To all to whom these Presents shall come or may Concern,  
Know That [REDACTED]

as RELEASOR,  
in consideration of the sum of One Dollar and other good and valuable consideration  
received from JOHN CONDIDORIO (\$ 1.00 ).

as RELEASEE,  
receipt whereof is hereby acknowledged, releases and discharges JOHN CONDIDORIO

the RELEASEE, RELEASEE'S heirs, executors, adminis-  
trators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings,  
bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments,  
extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the  
RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns ever had, now have or hereafter can,  
shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of  
the date of this RELEASE.; including but not limited to any and all causes of  
actions arising out of an incident which occurred on October 12, 1992,  
involving releasor and Officer John Condidorio as more particularly  
alleged in the Complaint in this action entitled:  
" [REDACTED] v VILLAGE OF LEROY, [REDACTED] and  
JOHN CONDIDORIO", bearing Index Number [REDACTED].

The words "RELEASOR" and "RELEASEE" include all releasors and all releasees under this RELEASE.

This RELEASE may not be changed orally.

In Witness Whereof, the RELEASOR has hereunto set RELEASOR'S hand and seal on the 26<sup>th</sup>  
day of May 19 93

In presence of [REDACTED] L.S.

STATE OF NEW YORK COUNTY OF Genesee ss.:  
On May 26, 1993 before me  
personally came [REDACTED]

to me known, and known to me to be the individual(s) described in, and who executed the foregoing RELEASE, and duly  
knowned to me that s he executed the same.

[REDACTED]  
Notary Public, State of New York  
Qualified In Genesee County  
My Commission Expires 2/28/95  
[Signature]

If the party making payment is not the same as the party released, delete words "as RELEASEE" and add names of parties released after the word "discharges."





To all to whom these Presents shall come or may Concern,

Know That [REDACTED]

as RELEASOR, in consideration of the sum of One Dollar and other good and valuable consideration received from [REDACTED] (\$ 1.00 ),

receipt whereof is hereby acknowledged, releases and discharges [REDACTED] as RELEASEE,

the RELEASEE, RELEASEE'S heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE; including but not limited to any and all causes of actions arising out of an incident which occurred on October 12, 1992, involving releasor and Officer John Condidorio as more particularly alleged in the Complaint in this action entitled: "[REDACTED] v VILLAGE OF LEROY, [REDACTED] and JOHN CONDIDORIO", bearing Index Number [REDACTED].

The words "RELEASOR" and "RELEASEE" include all releasors and all releasees under this RELEASE.

This RELEASE may not be changed orally.

In Witness Whereof, the RELEASOR has hereunto set RELEASOR'S hand and seal on the 26th day of May 19 93

In presence of

[REDACTED] L.S.

STATE OF NEW YORK COUNTY OF Genesee ss.: On May 26th 1993 before me personally came [REDACTED]

to me known, and known to me to be the individual(s) described in, and who executed the foregoing RELEASE, and duly acknowledged to me that s he executed the same.

Notary Public, State of New York Qualified in Genesee County My Commission Expires 2/28/95

[REDACTED] NOTARY PUBLIC

If the party making payment is not the same as the party released, delete words "as RELEASEE" and add names of parties released after the word "discharges."

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF GENESEE

-----x  
Index No.: [REDACTED]

[REDACTED]

Plaintiff,

**STIPULATION DISCONTINUING  
ACTION**

-against-

VILLAGE OF LEROY, [REDACTED]  
and JOHN CONDIDORIO,

Defendant.

-----x  
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued, <sup>ON THE MERITS</sup> without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

DATED: June 1, 1993  
Rochester, New York

[REDACTED]

[REDACTED]

ATTORNEY(S) FOR DEFENDANT(S)

ATTORNEY(S) FOR PLAINTIFF(S)

[REDACTED]

[REDACTED]

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

RESOLUTION

WHEREAS the Village of LeRoy, [REDACTED] and Police Officer John Condidorio had suit brought against them in the amount of 1.5 million dollars by one, [REDACTED], and

WHEREAS the Village of LeRoy has hired the law firm of [REDACTED] to defend in this action through its litigator, [REDACTED]. Esq., and

WHEREAS Mr. [REDACTED] has negotiated a settlement resulting in a stipulation of discontinuance and releases including but not limited to any and all causes of actions arising out of an incident which occurred on October 12, 1992, involving [REDACTED] and Officer John Condidorio as more particularly alleged in the Complaint in this action entitled: [REDACTED] v. Village of LeRoy, [REDACTED] and John Condidorio, bearing Index Number [REDACTED].

NOW THEREFORE BE IT RESOLVED that the Village of LeRoy does agree to a settlement in the amount of \$20,000 with the plaintiff, [REDACTED], in return for said plaintiff's discontinuing the action and releasing the Village of LeRoy, [REDACTED] and John Condidorio, and

BE IT FURTHER RESOLVED that the Village Treasurer is hereby directed to issue a check in the amount of \$20,000 payable to [REDACTED] and [REDACTED] and [REDACTED], as attorneys.