



GENEVA POLICE DEPARTMENT

EMPLOYEE WARNING RECORD



Employee Name: Officer Shannon Pluretti

Shift: Afternoons 2:30p-11p

Time: 3:03 PM

Date of Warning: 4/22/2015

WARNING

Date of Violation: 4/22/2015

Nature of Violation: Substandard Work

Time of Violation: 2100

(If Other – Explain):

Place of Violation: GPD

COMPANY REMARKS

Officer Pluretti failed to thoroughly investigate a reported motor vehicle accident that occurred within the City of Geneva. Officer Pluretti also failed to document a witness of the accident on the required MV-104A which she completed.

Employee Has Been Warned Previously: ☐ YES ☒ NO

Form of Warning:

Date of Previous Warnings:

Warned by Whom:

EMPLOYEE'S REMARKS RE: VIOLATION

*The absence of any statement on the part of the **EMPLOYEE** indicates his/her agreement with the report as stated

ACTION TO BE TAKEN

COUNSELING MEMO

Approved by: _____

Name

Signature

Chief of Police

Title

Date: _____

I have read this "warning" and understand it.

PO S. Pluretti - SZB

Date

Supervisor Signature

Date

DISTRIBUTION OF COPIES:

☐ Employee ☐ Chief of Police ☐ Personnel Dept. ☐ Supervisor ☐ Union Rep.

EMPLOYEE COUNSELING MEMO

To: P.O. Shannon Pluretti
From: Sergeant Turner
Re: Motor Vehicle Accident 2015-5450
05-03-2015

Written narrative: On April 22, 2015 @ 3:03p.m., you were assigned to patrol in GV-7 and were dispatched to [REDACTED] for a motor vehicle accident. The complainant/ victim stated that another vehicle had backed out of a handicapped parking spot and had struck her vehicle causing damage to the complainant/ victim's vehicle. There was significant damage on the complainant/victim's vehicle. The complainant/ victim reported that the driver of the vehicle that had backed into her vehicle had spoken to her and had left the area prior to your arrival without giving his identity. The complainant/victim gave you a plate number of [REDACTED] which returns to a valid vehicle that is registered to an address within the City of Geneva. The complainant/ victim gave you a description of the vehicle which was slightly different that the valid plate is registered to. Your follow up investigation consisted of driving by the registered owner's residence to see if the suspect vehicle was in the driveway.

The complainant/ victim also directed you to a witness that had observed the accident. You did not document the witness's identification and did not document the fact that there was a witness on the motor vehicle accident report. You also failed to inform this sergeant that there was a witness at all when I questioned you about the accident.

You must understand that this counseling memo is being completed so that you may take immediate corrective measures that this does not happen again. Your failure to thoroughly investigate a reported vehicle accident within the City of Geneva is in violation of General Order 605 section II. Your failure to document a witness of the motor vehicle accident is in violation of General Order 605 section III which refers to DMV Police Accident Report Manual.

As you may or may not be aware, further violation of this General Order may result in disciplinary action taken against you.

My signature acknowledges that I have read and received a copy of this counseling memorandum. It does not mean I agree or disagree with the contents. I know I have the right to attach a rebuttal.

DATED: 5/31

PO S. Pluretti 825

Employee Signature

Sergeant Turner

Supervisor Signature



GENEVA POLICE
DEPARTMENT
EMPLOYEE WARNING
RECORD



Employee Name: PO SHANNON ANDERSON
Shift: 14:30-23:00 Time: - AM Date of Warning: 08/01/2018

WARNING

Date of Violation: 07/06/2018 Nature of Violation: Substandard Work
Time of Violation: - (If Other – Explain): -
Place Violation Occurred: Public Safety Building

COMPANY REMARKS

Refer to attached document.

Employee Has Been Warned Previously: ☐ YES ☒ NO Form of Warning: -
Date of Previous Warnings:- Warned by Whom:-

EMPLOYEE'S REMARKS RE: VIOLATION

****The absence of any statement on the part of the EMPLOYEE indicates his/her agreement with the report as stated****

Refer to attached statement.

ACTION TO BE TAKEN

Counseling Memo + 1 on 1 remedial training

Approved by: _____

Name

Title

Date

I have read this "warning" and understand it.

Employee Signature

Date

Supervisor Signature

Date

DISTRIBUTION OF COPIES: ☐ Employee ☐ Chief of Police ☐ Personnel Dept. ☐ Supervisor ☐ Union Rep.



GENEVA POLICE DEPARTMENT

MEMORANDUM

TO: Chief Passalacqua
CC:
FROM: Sergeant Nolin
DATE: August 1, 2018
SUBJECT: PO Anderson Domestic Incident Report [REDACTED]

On, July 5, 2018 Officer Shannon Anderson Badge Number 825 filed a domestic incident report bearing incident number [REDACTED]. The incident was in reference to [REDACTED] violating a stay away order of protection protecting [REDACTED]. During Officer Anderson's investigation she completed a domestic incident report reporting that and investigation was to continue. Officer Anderson also generated an incident in PD Manager under [REDACTED] to enter evidence from the incident. After these two reports were generated no further supplemental reports updating the investigation were generated or filed. On July 8, 2018 Officer Anderson requested an arrest warrant for [REDACTED] on the charge of Criminal Contempt 2nd. Officer Anderson failed to provide a copy of the accusatory instrument and warrant packet to a supervisor for review. The arrest warrant was issued by the court and [REDACTED] was arrested. However, once [REDACTED] appeared in court the charges were dismissed. The dismissal was due to the allegations made in the accusatory instrument filed by Officer Anderson were insufficient. Officer Anderson alleged that [REDACTED] violated an order of protection that was not in effect when the incident occurred.

After further review of the matter multiple errors and violations Geneva Police Department General Orders were discovered. The violations and errors are listed as follows:

1. G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1. (c) Locate and identify suspects.

Officer Anderson did not make a through attempt to locate, identify and interview [REDACTED].

2. G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1(f). Expend the amount of time necessary to conduct a thorough preliminary investigation bounded by the character of inquiry appropriate in each case and supervisory approval.

Officer Anderson did not expend the amount of time necessary to conduct a thorough preliminary investigation. Officer Anderson also did not obtain supervisory approval.

3. G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1(h,i). At the conclusion of the preliminary investigation: submit all reports for supervisory review.

Officer Anderson failed to complete and submit supplemental reports documenting her investigation to a supervisor for review.

4. G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1 (i) Conduct follow-up investigations as assigned. Depending on the locality or complexity of the incident, or other indicated need for a specialized investigation, the Lieutenant/Detective Bureau may assign the case to the Detective Bureau.

Officer Anderson failed to conduct and document a follow up investigation.

5. G.O. 435 Domestic Incidents and Orders of Protection, XI. Orders of Protection, B. Enforcement, 2. A lawful warrantless arrest may be made based on probable cause even though the protected person may be unable to present a valid copy of the order, but the Officer shall attempt to verify the existence and terms of the order through Department records or NYSPIN. **However, if the order is not produced or its existence cannot be verified, the matter should be investigated further to confirm or deny the existence and if appropriate, an arrest can be made at a later date.** Also the Officer should investigate if an arrest can be made for any other offense (e.g. harassment, assault, etc.) and any appropriate charge added later if the Order is confirmed.

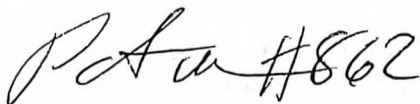
Officer Anderson did not have an actual verified copy of the order of protection before filing the warrant against [REDACTED]. Officer Anderson only had an E-justice repository hit for an order of protection that was not in effect when the incident occurred.

6. G.O. 435 Domestic Incidents and Orders of Protection, XI. Orders of Protection, B. Enforcement, 3. Where an Officer receives a complaint from a protected person or has an independent basis to believe that an order of protection has been violated, and has probable cause to believe that the terms of such order have been violated, an arrest shall be made for the appropriate degree of criminal contempt regardless of whether the prohibited conduct occurred in the Officer's presence. **A copy of the order of protection shall be attached to the court accusatory instrument.**

Officer Anderson failed to attach a copy of the order of protection to the accusatory instrument filed with the court. The order that Officer Anderson refers to in the accusatory instrument is located in the binder in the booking area. However, the order would have not been in effect when the incident occurred.

The actions/inactions of Officer Anderson could have led to a potential risk of further harm to the victim in this matter. This also could have led potential credibility and liability issues for the Geneva Police Department. It is recommended that Officer Anderson receive further training in the investigation of domestic incidents and conducting through police investigations.

Submitted August 1, 2018



SGT Nolin #862

Patrick J. Nolin

From: Hart, William J <William.Hart@co.ontario.ny.us>
Sent: Thursday, July 26, 2018 1:33 PM
To: Shannon M. Anderson
Cc: Matthew J. Valenti; Michael J. Passalacqua; Patrick J. Nolin
Subject: P. v. [REDACTED]
Attachments: DOC072618.pdf

Importance: High

Shannon -

The defendant was arrested on the warrant yesterday, but the charge was dismissed this morning. According to the charging documents filed, the incident occurred on 7/5/18, but the OOP referenced in the documents was not issued until 7/6/18. If there was a previous OOP, that would need to be referenced and attached. It is always best to get a copy of the actual OOP to include in the packet, rather than relying on the eJustice portal information. (That information has proven unreliable in the past.)

If this charge is salvageable (meaning that there was an OOP issued and served upon the defendant prior to the date and time of the Incident), please file the appropriate paperwork accordingly.

Thanks.

Bill

-----Original Message-----

From: District Attorney - #1 [mailto:william.hart@co.ontario.ny.us]
Sent: Thursday, July 26, 2018 1:23 PM
To: Hart, William J; Hart, William J
Subject: Send data from MFP11303248 [Bill H_PDF 2 Mail] 07/26/2018 13:22

Scanned from MFP11303248
PUBLIC TEMPLATE GROUP
Bill H_PDF 2 Mail
User Name: williamjh
Date:07/26/2018 13:22
Pages:5
Resolution:200x200 DPI



GENEVA POLICE DEPARTMENT

MEMORANDUM

TO: PO Anderson
CC:
FROM: Sergeant Nolin
DATE: July 28, 2018
SUBJECT: Domestic Incident Report [REDACTED]

Officer Anderson on July 6, 2018 you filed a domestic incident report bearing incident number [REDACTED]. You requested a warrant of arrest against suspect [REDACTED] for Criminal Contempt 2nd. The charges against the defendant were dismissed due to an insufficient accusatory instrument. After review of your investigation into this incident many questions have been raised and need to be answered. These questions are listed as follows:

1. The primary domestic incident documents that the investigation was to continue. Was there any supplemental reports filed to update the case?
2. If there were supplemental reports filed were they provided to a supervisor for review and approval?
3. Did you ever attempt to locate and interview the suspect about the incident before filing for the warrant? Please explain why or why not a suspect interview took place?
4. Do you feel that a complete and thorough preliminary investigation was completed?
5. Did you submit the warrant packet to a supervisor for review prior to filing it with the court?
6. In the warrant packet for the court there was only a copy of the E-Justice order of protection hit. Did you ever verify the existence of the actual order of protection and secure of physical copy of the order of protection?
7. Did you submit an actual copy of the order of protection to the court in your warrant packet?

You are hereby ordered to provide a typewritten response to the aforementioned questions. The written response shall be returned to me no later than August 1, 2018 at 23:00 hours.

So ordered,

A handwritten signature in black ink, appearing to read "Nolin #862", written over the typed name.

SGT Nolin #862



GENEVA POLICE DEPARTMENT
MEMORANDUM

TO: PO Anderson
CC:
FROM: Sergeant Nolin
DATE: August 1, 2018
SUBJECT: Domestic Incident Report [REDACTED] (2)

Officer Anderson I have received your response to my memo dated Jul 28, 2018. Upon review the response it is invalid. It is printed on letterhead with retired Chief Trickler's name on it. This can be corrected by entering the information on a blank Word Document and printing to the Xerox printer in records and selecting to print from tray 1. This will print the document on current letterhead. The response also has no composition date and a hand written signature on it.

You are hereby ordered to correct the aforementioned errors. The corrected response shall be returned to me no later than August 1, 2018 at 23:00 hours.

So ordered,

A handwritten signature in black ink, appearing to read "Nolin #862", written over a horizontal line.

SGT Nolin #862



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Jeffrey Trickler
Chief of Police

Sgt Nolin

Regarding your memo dated 7/28/18;

1. There were no supplemental reports filed.
2. There were no supplemental reports filed.
3. I was unable to complete an interview of the suspect as I was not able to locate her. The address on file was a [REDACTED] and obviously no longer resides there. Also the phone listing I located in PD Manager was no longer in service.
4. I do feel a thorough preliminary investigation was completed.
5. The warrant packet was placed in the Sergeant's tray after I completed it.
6. I was familiar with the order of protection due to the victim presenting it to me. Due to it being a family court order I had contacted dispatch to fax a copy of the order. Dispatch advised that they would attempt to locate and fax at a later time.
7. Due to having not received the fax from dispatch at the time I included the ejustice printout with the packet as I have done this in the past without incident.

Furthermore, I acknowledge that I made a critical mistake in not more thoroughly reviewing the oop I had included and will be more diligent in the future about reviewing the oop and including the full oop in the file not just the ejustice copy.

PO Shannon Anderson



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Michael Passalaqua
Chief of Police

August 1st, 2018

Sgt Nolin

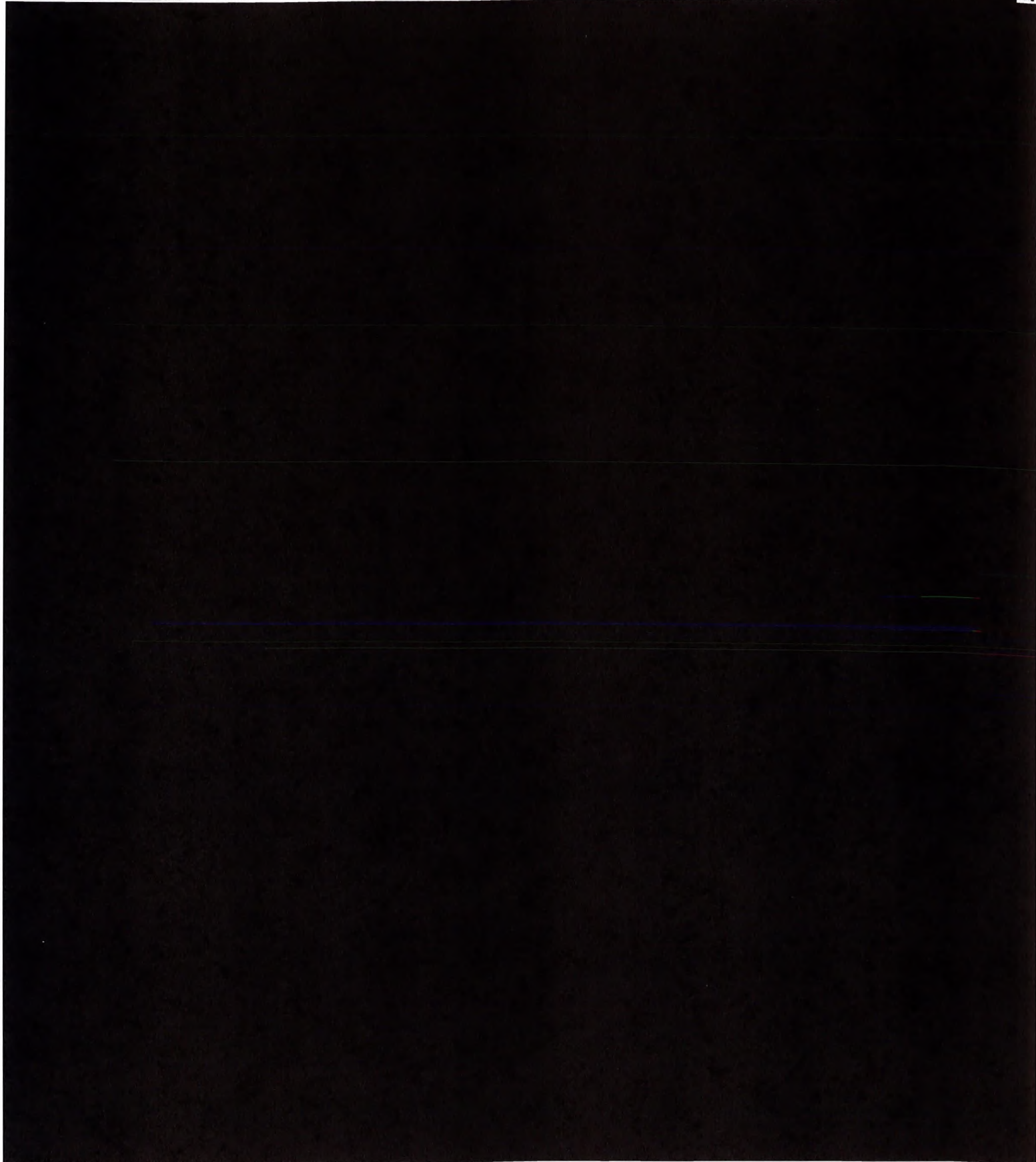
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Furthermore, I acknowledge that I made a critical mistake in not more thoroughly reviewing the oop I had included and will be more diligent in the future about reviewing the oop and including the full oop in the file not just the ejustice copy.

PO S. Anderson 825

PO Shannon Anderson



DIR Repository checked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Order of Protection Registry checked? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection in effect? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refrain <input checked="" type="checkbox"/> Stay Away	
Evidence Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Photos taken: <input type="checkbox"/> Victim Injury <input type="checkbox"/> Suspect Injury <input type="checkbox"/> Other:	Other Evidence: <input type="checkbox"/> Damaged Property <input type="checkbox"/> Videos <input type="checkbox"/> Electronic Evidence <input type="checkbox"/> Other:		Destruction of Property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, Describe:	
Offense Committed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Was suspect arrested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, explain: <i>not present</i>	Offense 1 <i>criminal contempt</i>	Law (e.g. PL) <i>PL 215.50</i>	Offense 2	Law (e.g. PL)
POLICE COPY (Please make a copy for DA's office if appropriate)		NYS DOMESTIC AND SEXUAL VIOLENCE HOTLINE 1-800-942-6906		3221-03/2016 DCJS Copyright © 2016 by NYS DCJS	

Agency GENEVA POLICE DEPARTMENT		Division/Precinct		New York State INCIDENT REPORT		ORI NY0340200	Orig.	Case No.	Incident No.	
INCIDENT										A
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	Reporting Officer's Signature (Include Rank)		ID No. SAND		Supervisor's Signature (Include Rank)			ID No. PNOL		
	Status CLOSED		Status Date		Notified/TOT			Review Date		
	Status		Status Date		Notified/TOT			Review Date		

STATE OF NEW YORK : COUNTY OF ONTARIO
CITY COURT : CITY OF GENEVA

The People of the State of New York
against

INFORMATION

Defendant

PO S. Anderson, Employed at Geneva Police Dept. 255 Exchange St. Geneva, NY, by this information makes written accusation as follows:

That the aforesaid defendant, on [REDACTED] in the City of Geneva, New York, did commit the offense of CRIMINAL CONTEMPT 2ND, a Class A MISDEMEANOR in violation of Section 215.50, Subdivision 3 of the PENAL LAW of the State of New York, in that she did, at the aforesaid time and place.

Count One:

A PERSON IS GUILTY OF CRIMINAL CONTEMPT IN THE SECOND DEGREE WHEN HE ENGAGES IN ANY OF THE FOLLOWING CONDUCT: 3 INTENTIONAL DISOBEDIENCE OR RESISTANCE TO THE LAWFUL PROCESS OR OTHER MANDATE OF A COURT EXCEPT IN CASES INVOLVING OR GROWING OUT OF LABOR DISPUTES AS DEFINED BY SUBDIVISION TWO OF SECTION SEVEN HUNDREDFIFTY THREE OF THE JUDICIARY LAW.

The facts upon which this information is based are as follows:

The foregoing factual allegations are based upon personal knowledge of the complainant (and upon information and belief, the sources of complainants information and belief being, police investigation and statement of [REDACTED]).

Wherefore, Complainant prays that [REDACTED] A. [REDACTED] be dealt with pursuant to law.

False statements made in the foregoing instrument are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. Accordingly and with notice of the foregoing, I hereby affirm that the foregoing statements of facts are true, under penalty of perjury, this 07/08/2018.

PO S. Anderson 625
Complainant

Suspect Name (Last, First, MI)

[Redacted area]

Victim/Deponent Signature
DO S. [Signature]
Witness or Officer Signature

Date
7/5/18
Date

Whether or not this form is signed, this D/R Form will be filed with Law Enforcement.

6
3

Interpreter Signature and Interpreter Service Provider Name
Interpreter Requested ☐ Yes ☐ No Interpreter Used ☐ Yes ☐ No

Date

Suspect Name (Last, First, M.I.)

Witness or Officer Signature

Date

Whether or not this form
is signed, this DIR Form
will be filed with Law
Enforcement.

3
or
3

Interpreter Signature and Interpreter Service Provider Name

Date

Interpreter Requested ☐ Yes ☐ No Interpreter Used ☐ Yes ☐ No

POLICE COPY (Please make a copy for DA's office if appropriate)

NYS DOMESTIC AND SEXUAL VIOLENCE HOTLINE 1-800-942-6906

3221- 03/2016 DCJS Copyright © 2016 by NYS DCJS

NYS Order of Protection

Submitted: 07/06/2018 10:25 PM by andersons6

Search Criteria: [REDACTED]

Reason for Inquiry: RESULTS FOR N/A @ N/A

Originating Agency (ORI): NY0340000 - ONTARIO COUNTY SHERIFFS OFFICE
Phone: 585-394-4560

Court ORI: NY034023J - ONTARIO COUNTY FAMILY COURT
Type: FC
Judge: REED, FREDERICK G

OOP Issued: 07/06/2018 Served: 07/06/2018

Expiration: 07/06/2019 Return on Warrant: no

Order Against Person: [REDACTED]

Brady Disqualifier: yes

- 12 - ALL FIREARMS MUST BE SURRENDERED ON OR BEFORE : SURRENDER ANY AND ALL HANDGUNS, PISTOLS, REVOLVERS, RIFLES, SHOTGUNS AND OTHER FIREARMS OWNED OR POSSESSED, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING: ANY AND ALL FIREARMS AND DO NOT OBTAIN ANY FURTHER GUNS OR OTHER FIREARMS SUCH SURRENDER SHALL TAKE PLACE IMMEDIATELY, BUT IN NO EVENT LATER THAN ASAP BUT NO LATER THAN 24 HOURS FROM SERVICE OF THIS ORDER AT ONTARIO COUNTY SHERIFF'S DEPARTMENT, 74 ONTARIO ST, CANANDAIGUA, NY AT THE SPECIFIED TIME OR WITHIN 24 HOURS OF SERVICE OF THIS ORDER ON THE RESPONDENT, WHICHEVER IS LATER IF SERVICE IS BY A POLICE AGENCY OTHER THAN THE ONTARIO COUNTY SHERIFF'S DEPARTMENT, THE FIREARMS SHOULD BE SURRENDERED IMMEDIATELY TO THAT AGENCY, TO BE MAINTAINED PURSUANT TO THE POLICIES AND PROCEDURES OF SAID AGENCY IF THE FIREARMS ARE SURRENDERED TO AN AGENCY OTHER THAN THE ONTARIO COUNTY SHERIFF'S DEPT, SAID AGENCY SHALL NOTIFY THE FAMILY COURT OF SAME;
- 13A - FIREARMS LICENSE (IF ANY) IS SUSPENDED : [REDACTED] LICENSE TO CARRY, POSSESS, REPAIR, SELL OR OTHERWISE DISPOSE OF A FIREARM OR FIREARMS, IF ANY, PURSUANT TO PENAL LAW 40000, IS HEREBY SUSPENDED;
- 13C - INELIGIBLE TO OBTAIN FIREARMS LICENSE DURING THE PERIOD OF THIS ORDER : [REDACTED] DOB: [REDACTED] SHALL REMAIN INELIGIBLE TO RECEIVE A FIREARM LICENSE WHILE THIS ORDER IS IN EFFECT
- 99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THE RESPONDENT SHALL STAY AT LEAST 1500' AWAY FROM [REDACTED]
- 99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THIS ORDER IS MADE WITHOUT ANY FINDING OF FAULT ON THE PART OF THE RESPONDENT, [REDACTED] (DOB: [REDACTED]);
- 99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THE RESPONDENT [REDACTED] SHALL NOT OWN OR POSSESS ANY FIREARMS DURING THE PERIOD OF THIS ORDER;

Requesting Person: [REDACTED]

- 02 - REFRAIN FROM ASSAULTING, HARASSING, ETC. THE PERSON : REFRAIN FROM ASSAULT, STALKING, HARASSMENT, AGGRAVATED HARASSMENT, MENACING, RECKLESS ENDANGERMENT, STRANGULATION, CRIMINAL OBSTRUCTION OF BREATHING OR CIRCULATION, DISORDERLY CONDUCT, CRIMINAL MISCHIEF, SEXUAL ABUSE, SEXUAL MISCONDUCT, FORCIBLE TOUCHING, INTIMIDATION, THREATS, IDENTITY THEFT, GRAND LARCENY, COERCION OR ANY CRIMINAL OFFENSE AGAINST [REDACTED]
- 14 - REFRAIN FROM COMMUNICATION BY MAIL OR BY TELEPHONE, E-MAIL, VOICE MAIL, OR OTHER ELECTRONIC MEANS : REFRAIN FROM COMMUNICATION OR ANY OTHER CONTACT BY MAIL, TELEPHONE, E-MAIL, VOICE-MAIL OR OTHER ELECTRONIC OR ANY OTHER MEANS WITH [REDACTED]
- ADDITION, THERE IS TO BE NO THIRD PARTY COMMUNICATION OR CONTACT WITH THE AFOREMENTIONED PARTY (PARTIES);
- 1A - STAY AWAY FROM THE PERSON [REDACTED]
- 1B - STAY AWAY FROM THE HOME OF : [REDACTED]
- 99 -

SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THE RESPONDENT [REDACTED] SHALL NOT OWN OR POSSESS ANY FIREARMS DURING THE PERIOD OF THIS ORDER;

99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THIS ORDER IS MADE WITHOUT ANY FINDING OF FAULT ON THE PART OF THE RESPONDENT, [REDACTED] (DOB: [REDACTED]);

99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THE RESPONDENT SHALL STAY AT LEAST 1500' AWAY FROM [REDACTED]

Protected Persons:

04 - REFRAIN FROM SPECIFIC ACTS THAT TEND TO MAKE THE HOME NOT A PROPER PLACE FOR : REFRAIN FROM ANY ACT THAT CREATE AN UNREASONABLE RISK TO THE HEALTH, SAFETY OR WELFARE OF [REDACTED]

14 - REFRAIN FROM COMMUNICATION BY MAIL OR BY TELEPHONE, E-MAIL, VOICE MAIL, OR OTHER ELECTRONIC MEANS : REFRAIN FROM COMMUNICATION OR ANY OTHER CONTACT BY MAIL TELEPHONE, E-MAIL, VOICE-MAIL OR OTHER ELECTRONIC OR ANY OTHER MEANS WITH [REDACTED] IN ADDITION, THERE IS TO BE NO THIRD PARTY COMMUNICATION OR CONTACT WITH THE AFOREMENTIONED PARTY (PARTIES):

1A - STAY AWAY FROM THE RESPONDENT : [REDACTED]

1C - STAY AWAY FROM THE SCHOOL OF : [REDACTED]

99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THIS ORDER IS MADE WITHOUT ANY FINDING OF FAULT ON THE PART OF THE RESPONDENT, [REDACTED] (DOB: [REDACTED]);

99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THE RESPONDENT [REDACTED] DOB: [REDACTED] SHALL NOT OWN OR POSSESS ANY FIREARMS DURING THE PERIOD OF THIS ORDER,

99 - SPECIFIC OTHER CONDITIONS RELATING TO : OBSERVE SUCH OTHER CONDITIONS AS ARE NECESSARY TO FURTHER THE PURPOSES OF PROTECTION: THE RESPONDENT SHALL STAY AT LEAST 1500' AWAY FROM [REDACTED]

Stay Away From

Transaction ID: f7c1fcdc-818c-11e8-8fe2-2020202512

EMPLOYEE COUNSELING MEMO

TO: P.O. Shannon Anderson



FROM: Sergeant Patrick Nolin

RE: Domestic Incident [REDACTED]

On July 5, 2018 Officer Anderson filed a domestic incident report ([REDACTED]) for a reported incident between violation of an order of protection between intimate partners at [REDACTED] in the City of Geneva. Officer Anderson filed for an arrest warrant against the suspect on the charge of criminal contempt 2nd degree. The suspect was subsequently arrested on the warrant at a later date. Upon arraignment of the suspect for criminal contempt 2nd the charges were dismissed. Prosecution requested the dismissal of the charges due to errors in the accusatory instrument against the suspect. The district attorney's officer notified Sergeant Nolin of the matter. A review of the investigation was conducted. After review the following General Order violations and errors were discovered. The errors and violations reported to the Chief of Police. the errors and violations are listed below:

1.G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1. (c) Locate and identify suspects.

Officer Anderson did not make a through attempt to locate, identify and interview [REDACTED]

2.G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1(f). Expend the amount of time necessary to conduct a thorough preliminary investigation bounded by the character of inquiry appropriate in each case and supervisory approval.

Officer Anderson did not expend the amount of time necessary to conduct a thorough preliminary investigation. Officer Anderson also did not obtain supervisory approval.

3. G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1(h,i). At the conclusion of the preliminary investigation: submit all reports for supervisory review.

Officer Anderson failed to complete and submit supplemental reports documenting her investigation to a supervisor for review.

EMPLOYEE COUNSELING MEMO

4.G.O. 415 Post Assignments and Patrol Procedures, III. Patrol Procedures, C. Preliminary Investigations-Patrol Officers, 1 (i) Conduct follow-up investigations as assigned. Depending on the locality or complexity of the incident, or other indicated need for a specialized investigation, the Lieutenant/Detective Bureau may assign the case to the Detective Bureau.

Officer Anderson failed to conduct and document a follow up investigation.

5.G.O. 435 Domestic Incidents and Orders of Protection, XI. Orders of Protection, B. Enforcement, 2. A lawful warrantless arrest may be made based on probable cause even though the protected person may be unable to present a valid copy of the order, but the Officer shall attempt to verify the existence and terms of the order through Department records or NYSPIN. However, if the order is not produced or its existence cannot be verified, the matter should be investigated further to confirm or deny the existence and if appropriate, an arrest can be made at a later date. Also the Officer should investigate if an arrest can be made for any other offense (e.g. harassment, assault, etc.) and any appropriate charge added later if the Order is confirmed.

Officer Anderson did not have an actual verified copy of the order of protection before filing the warrant against [REDACTED]. Officer Anderson only had an E-justice repository hit for an order of protection that was not in effect when the incident occurred.

6. G.O. 435 Domestic Incidents and Orders of Protection, XI. Orders of Protection, B. Enforcement, 3. Where an Officer receives a complaint from a protected person or has an independent basis to believe that an order of protection has been violated, and has probable cause to believe that the terms of such order have been violated, an arrest shall be made for the appropriate degree of criminal contempt regardless of whether the prohibited conduct occurred in the Officer's presence. A copy of the order of protection shall be attached to the court accusatory instrument.

Officer Anderson failed to attach a copy of the order of protection to the accusatory instrument filed with the court. The order that Officer Anderson refers to in the accusatory instrument is located in the binder in the booking area. However, the order would have not been in effect when the incident occurred.

The actions/inactions of Officer Anderson could have led to a potential risk of further harm to the victim in this matter. This also could have led potential credibility and liability issues for the Geneva Police Department. It is recommended that Officer Anderson receive this counseling memo and one on one remedial training in the investigation of domestic incidents and conducting thorough police investigations.

You must understand that this counseling memo is being issued so that you may take immediate corrective measures to prevent this from happening again. You must take precautions to prevent the aforementioned errors and General Order Violations from happening again.

EMPLOYEE COUNSELING MEMO

As you may or may not be aware, further violation of this General Order may result in disciplinary action taken against you.

My signature acknowledges that I have read and received a copy of this counseling memorandum. It does not mean I agree or disagree with the contents. I know I have the right to attach a rebuttal.

DATED: 8/10/15

PO S. Clewson 825
Employee's Signature

PO A. H. 862
Supervisor's Signature



GENEVA POLICE DEPARTMENT
MEMORANDUM

TO: PO Anderson
CC: Chief Passalacqua
FROM: Sergeant Nolin
DATE: August 7, 2018
SUBJECT: Remedial training

Officer Anderson,

As recommended by Chief Passalacqua you are to complete remedial training in post assignments, patrol procedures, domestic incidents and orders of protection. I am directing you to review Section 415 and 435 of the Geneva Police Department General Orders. Once you have reviewed the sections you are to advise me. You will then be given a written test on the sections reviewed. Once the tests are completed they will be returned to me for review. Once the review has been completed any incorrect answers will be reviewed with you.

So ordered,

A handwritten signature in black ink, appearing to read "P. Nolin #862".
SGT Nolin #862



GENEVA POLICE DEPARTMENT

EMPLOYEE WARNING RECORD



Employee Name: PO Shannon Anderson

Shift: Afternoons 2:30p-11p Time: PM

Date of Warning: 4/13/2020

WARNING

Date of Violation: [REDACTED]

Nature of Violation: Substandard Work

Time of Violation: 17:28 (If Other – Explain): GO 305(11)

Place of Violation: [REDACTED]

COMPANY REMARKS

On [REDACTED] PO Anderson and PO Perry were dispatched to [REDACTED] for a reported suspicious condition where the caller believed property was being damaged. Upon arrival to [REDACTED] PO Anderson approached a group of 7 juveniles in regards to the complaint. Some of the juveniles were hostile and disrespectful towards PO Anderson. PO Anderson notices a lawn chair thrown in the basketball court and questions how that happened. The one juvenile admits to throwing the chair around. While speaking with the juveniles PO Anderson waived off her backup unit. PO Anderson was outnumbered 7-1 to a group that where some people were hostile towards her and should have not called off the back up unit. This action is an officer safety issue. Also while on scene the juvenile start yelling and swearing. Based on the call, the admitted attempted property damage and the yelling and swearing the group should have been dispersed under the disorderly conduct PL 240.26 sub (1) and (3) as they were creating enough of a disturbance that the police were called and it continued while on scene. By not removing the group I don't believe the police department came to a proper outcome that would have solved the issue at hand under GO 305(11) for failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention as listed below.

a.GO 305(11)Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action, the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance; repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the department.

Employee Has Been Warned Previously: ☐ YES ☒ NO

Date of Previous Warnings:

Form of Warning:

Warned by Whom: Sgt. [REDACTED]

EMPLOYEE'S REMARKS RE: VIOLATION

*The absence of any statement on the part of the **EMPLOYEE** indicates his/her agreement with the report as stated
employee wished to submit response and will be forthcoming.

ACTION TO BE TAKEN

Counseling Memo

Approved by: Michael J. Passalacqua
Name

[Signature]
Signature

Chief of Police
Title

Date: 4/13/2020

I have read this "warning" and understand it.

PO S. Release 4/21/20
Employee Signature Date

[Signature] 4/21/20
Supervisor Signature Date

DISTRIBUTION OF COPIES:

☒ Employee ☒ Chief of Police ☐ Personnel Dept. ☒ Supervisor ☐ Union Rep.

EMPLOYEE COUNSELING MEMO

TO: PO Shannon Anderson

FROM: Sgt. D. Felice

RE: [REDACTED]

DATE: 4/9/2020



You must understand that this counseling memo is being completed so that you may take immediate corrective measures so it does not happen again. You must take precautions as stated in: .GO 305(11) Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action, the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance; repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the department.

On [REDACTED] PO Anderson and PO Perry were dispatched to [REDACTED] for a reported suspicious condition where the caller believed property was being damaged. Upon arrival to [REDACTED] PO Anderson approached a group of 7 juveniles in regards to the complaint. Some of the juveniles were hostile and disrespectful towards PO Anderson. PO Anderson notices a lawn chair thrown in the basketball court and questions how that happened. The one juvenile admits to throwing the chair around. While speaking with the juvenile's PO Anderson waived off her backup unit. PO Anderson was outnumbered 7-1 to a group that where some people were hostile towards her and should have not called off the back up unit. This action is an officer safety issue. Also, while on scene the juvenile start yelling and swearing. Based on the call, the admitted attempted property damage and the yelling and swearing the group should have been dispersed under the disorderly conduct PL 240.26 sub (1) and (3) as they were creating enough of a disturbance that the police were called and it continued while on scene. By not removing the group I don't believe the police department came to a proper outcome that would have solved the issue at hand under GO 305(11) for failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention as listed above.

EMPLOYEE COUNSELING MEMO

As you may or may not be aware, further violation of this General Order may result in disciplinary action taken against you.

My signature acknowledges that I have read and received a copy of this counseling memorandum. It does not mean I agree or disagree with the contents. I know I have the right to attach a rebuttal.

DATED: 4/2/20

RO S. Allen 525
Employee's Signature

[Signature]
Supervisor's Signature