

GENEVA POLICE DEPARTMENT

Citizens Complaint Form



Chief Michael Passalacqua

Public Safety Building
255 Exchange Street
Geneva, New York 14456
315.828.6771

Summary of Complaint Process

- The complaint can be downloaded from the City of Geneva website: www.cityofgenevany.com (type in "Complaint" in the Search Box) or picked up at Geneva Police Department, 255 Exchange Street, Geneva, New York or the City Clerk's Office, 47 Castle St., Geneva, New York.
- After completion of the form it should be signed in front of a Sergeant or Lieutenant of the Geneva Police Department or the City Clerk or Deputy City Clerk at City Hall.
- After your complaint has been filed, it is assigned and investigated and given a Case Number. All available witnesses will be contacted, and any physical or other relevant evidence including records, reports, recordings and computer data will be collected and reviewed. You will be personally contacted by a Lieutenant or another person designated by the Chief of Police.
- Once the investigation is completed, the investigation and its report will be forwarded to the Chief of Police for final disposition of the case. When a complaint is sustained, the Chief shall determine and administer appropriate corrective and/or disciplinary action.
- Department policy requires that the complaint investigation to be completed within 45-60 days; however, the Chief of Police can waive the time frame depending on the complexity and sensitivity of the investigation.
- After the investigation has been completed and the Chief of Police has made a final decision on the case, you will be notified of the results by mail.

Most Often Asked Questions

- **HOW DO I FILE A COMPLAINT?** We would prefer to talk with you about your complaint in person; however complaints will be accepted by mail or in person at the Police Department or City Hall.
- **WHAT IS A COMPLAINT?** A complaint is a belief that a member of the Geneva Police Department has violated a Department Rule or Procedure, a federal or state law, an ordinance of the City of Geneva, or dissatisfaction with a policy or procedure of the Geneva Police Department.
- **WHAT DOES THIS PROCESS NOT HANDLE?** This process does not litigate or decide the outcome of any parking, traffic, criminal or non-criminal offense. These questions should be directed to the court of jurisdiction or your own legal counsel.
- **WHO CAN MAKE A COMPLAINT?** Anyone can file a complaint if they truly and honestly believe a police employee has acted improperly.
- **WHO INVESTIGATES A CITIZEN COMPLAINT?** Complaints of alleged misconduct are investigated by members of the Department who are certified to conduct Internal Affairs Investigations. The investigation is then reviewed by the Chief of Police and Personnel Office if needed.

- **WHAT WILL HAPPEN TO THE EMPLOYEE?** That will depend on the results of the investigation. If the employee is found to be at fault the complaint will be SUSTAINED and the appropriate corrective and/or disciplinary action will be taken. If they acted properly, they will be EXONERATED. If the facts show that the complaint is false, the complaint will be unfounded. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusion, the complaint will be NOT SUSTAINED. If the investigation concludes that the involved employee's conduct was not misconduct but rather an issue of department service or procedure, your complaint will be satisfied as such. In cases of department service or procedure, Geneva Police Department will attempt to clarify or correct the issue.
- **WHAT IF MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?** The Ontario County District Attorney's Office may be consulted on any complaint that alleges criminal investigation while the internal investigation is pending.
- **WILL I BE TOLD THE RESULTS OF THE INVESTIGATION?** YES – At the conclusion of the investigation and review by the Chief of Police, you will be notified of the results by mail. Due to contractual and legal restrictions, you will be only be given the finding of the investigation of whether your complaint was SUSTAINED, UNFOUNDED, EXONERATED, NOT SUSTAINED, OR IS ONE OF DEPARTMENT SERVICE OR PROCEDURE. The department is prohibited from revealing specific personnel actions taken against the employee.
- **CAN I GET IN TROUBLE FOR MAKING A COMPLAINT?** NO – Every citizen has the right to file a complaint, if it is done in good faith, with an honest belief that an employee of the acted improperly. If a false statement is made you may be charged under the NYS Penal Law Section 210.45.
- **ABOUT THE COMPLAINT FORM.** The attached form should be used to file your complaint. You can attach as many additional pages as necessary, along with any supporting evidence you may have. After you complete the form bring it to the Geneva Police Department or the City Clerk's Office or mail it to:

**City of Geneva Police Department
Office of the Chief of Police
Public Safety Building
255 Exchange St.
Geneva, NY 14456**

**City of Geneva
Office of the City Clerk
City Hall
47 Castle St.
Geneva, NY 14456**

City Hall tiene personal disponible si no hablas inglés.

GENEVA POLICE DEPARTMENT

Complaint Action Form

This form is to be completed in full by the complaining citizen, *then brought to and signed in the presence of* either a Sergeant or Lieutenant of the Geneva Police Department or the City Clerk or Deputy City Clerk. **WARNING: False Statements made herein are punishable as a Class A Misdemeanor crime pursuant to Section 210.45 of the Penal Law of the State of New York. Please type or Print.**

COMPLAINANT

Name:	
Address:	
Occupation:	
Work Address:	
Email Address:	

ACCUSED OFFICER(S)

Name: <u>Shannon Anderson</u>	Badge Number <u>825</u>
Name: _____	Badge Number _____

INCIDENT

Time/Date: _____	Location: <u>Geneva police Department</u>
Nature of Complaint: <u>police misconduct</u>	

WITNESS(ES)

Name:	
Address:	
Name:	
Address:	

- Are you making this complaint of your own free will: Yes ☒ No ☐
- Were you arrested as a result of this incident: Yes ☒ No ☐

If yes, what charge?: Disorderly Conduct Date: 4/20/19

Disposition (fine, imprisonment, etc.): _____

3. Are you willing to appear and give testimony under oath at a department hearing and/or criminal proceeding: Yes: ☒ No: ☐

COMPLAINT- state exact circumstances of the complaint

My brother and I were arrested on [REDACTED] for disorderly conduct. While we were in the holding cell, officer Anderson came up to mine and kicked my cell and told me to shut the "fuck up." This should all be on the surveillance cameras. Also ~~while~~ while ~~we~~ we were transferred to Ontario County Jail officer Anderson and another female officer took my brother and I. On our way there it was 35° outside and they left both back windows down. My brother had no shirt on and I had a t-shirt. We then asked them to roll up the windows and then they turned up the radio like they didn't hear us. When we arrived at the jail officer Anderson made a comment saying "a shit to forget the windows were left down. This is police misconduct and ~~and~~ no one should be treated like that, especially people ~~that~~ that are suppose to be protecting the community."

**** If necessary, additional sheets may be attached hereto and made a part hereof.**

I understand that this statement of complaint will be submitted to the Geneva Police Department and may be the basis for an investigation. Further, I declare the facts contained herein are accurate and true to the best of my knowledge and belief. Further, I declare that my statement has been made by me voluntarily without persuasion, coercion or promise of any kind. **False statements made herein 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 are true.

Signature of Complainant: _____

Date: 5/20/19

MUST be signed in the presence of a Supervisor of the Geneva Police Department, City Clerk or Deputy City Clerk.

Person Receiving Complaint: _____

Alicia Jan

Title: Deputy Clerk

Date: 5/20/19

Time: 8:35 am

ADMINISTRATIVE USE ONLY

Reviewed By: _____

Name & Rank

Date Reviewed: _____ GPD CR No.: _____

☐

NO FURTHER ACTION

☐

INVESTIGATION ASSIGNED TO: _____

COMPLAINT RESOURCE ASSISTANT

The *Complaint Resource Assistant* is an independent individual who has knowledge of the departmental operations and the complaint process and can provide assistance to those individuals wishing to make a complaint. Duties include:

- Be available for any complainant to contact.
- In a timely manner (24 hours), respond to individual wishing to report a personnel issue with members of the Geneva Police Department.
- Maintain an inventory of complaint forms and support materials to make available to complainants.
- Provide educational and administrative support related to the filing of a personnel complaint against a member of the Geneva Police Department.
- Maintain complainant confidentiality relative to personal information and nature of the complaint.
- Serve as a continued point-of-contact between the complainant and the department to support follow up investigation and status inquiries

The following are approved *Complaint Resource Assistants*:

<u>Name</u>	<u>Contact Information</u>
Paul Barrett	pmbpub@aol.com
Joe Commesso	315-521-3010
Peggy Focarino	571-541-9054
Mike McDermott	585-305-3842
Montrose Streeter	315-781-4450

GENERAL INFORMATION

Supervisor: NBIE BIELOWICZ
Date/Time: 04/20/19 00:20
Actual Signal: DISTURBANCE 02
Received: 00:20:03

Dispatcher: 00 BIELOWICZ
Reported Signal: DISTURBANCE 02

Responding Officer: SAND ANDERSON

Received By:

Arrest: 00:35

Cleared: 01:00

Vehicle Description:

Plate No.:

Disposition: R

Action Taken:

Reference No. 1:

State:

Disp. Date: 04/29/19 01:33

Report Taken: NO

Reference No. 2: G191100001

LOCATION

Last Name: 825
Alias/Maiden Name:
Address:
City: GENEVA
Phone: () -

First Name: ANDERSON,

State: NY

Anonymous: NO

Middle Name/Suffix:
DOB:

Zip: 14456

RESPONDING UNITS/OFFICERS**Unit/Officer****Dispatched****Arrived****Cleared**

G825

G823

G836

G866

G842

G839

G837

ASSOCIATED PERSONS**NOTES**

THIS OFFICER OBSERVED

POSSIBLY FIGHTING IN THE AREA OF ABOVE.

REPORT TO FOLLOW

INCIDENT	Agency GENEVA POLICE DEPARTMENT		Division/Precinct BEAT		New York State INCIDENT REPORT		ORI NY0340200		Orig. [REDACTED]			
	Report Day Sat	Report Date 04/20/2019	Report Time 00:20:00	Occurred On/From: Sat	Day Sat	Date 04/20/2019	Time 00:20	Occurred To: Sat	Day Sat	Date 04/20/2019	Time 00:40	
	Incident Type DISORDERLY CONDUCT 240.20				Business Name EDDIE OBRIENS				Weapon(s)		A 77	
	Address [REDACTED]								State, Zip GENEVA 3502		B 77	
ASSOCIATED PERSONS	OFF.	LAW	SECTION	SUB	CL	CAT	DEG	ATT	No. of Victims		C 77	
	01	PL	240.20	2,3	U	V		C	DISORDERLY CONDUCT		1	
									No. of Suspects		D 47	
									2			
VICTIM	Person Type: CO=Complainant OT=Other PI=Person Interviewed PR=Person Reporting WI=Witness NI=Not Interviewed VI=Victim Victim also Complainant NO										E 77	
	Type/No.	Name (Last, First, Middle, Suffix)				Date of Birth		Street No., Street Name, Apt. No., City, State, Zip			Telephone No.	
											F 77	
											G 77	
											H	
											I	
SUSPECT	Person No.	Suspect No.	Date of Birth	Age	Sex	Race	Ethnic Origin	Handicapped	Residence Status		J	
	Victim DID receive information on Victim's Rights and Services pursuant to New York State Law ___ YES ___ NO										K	
PROPERTY	Victim or Suspect No.	Property Status	Property Type	Quantity/Measure	Make/Drug Type	Model	Serial No.	Description		Value	3	
											4	
											5	
	VEHICLE	Veh. Status	License Plate No.		State	Exp. Yr.	Plate Type	Value		0.00		
		Veh. Yr.	Make		Model	Style	VIN					
		Color(s)	Towed By/To		Vehicle Notes							
	NARRATIVE	<p>On the aforementioned date at approximately 0030 hours I was on patrol of the downtown area with PO Lloyd when I observed [REDACTED] that looked to be fighting in the area of [REDACTED]. Myself and PO Lloyd pulled over and immediately engaged the two males, later identified as (A) [REDACTED] and (A) [REDACTED]. The two males started telling of an incident where they were in [REDACTED]. The two men were yelling at this officer and kept swearing about how they were, "in the fuckin' [REDACTED]". Due to the location there were numerous onlookers in the area as well as people inside [REDACTED] all staring at the situation. I advised both [REDACTED] to stop swearing, that they were in public and a lot of people were looking. (A) [REDACTED] looked at this officer and yelled, "Fuck You, Fuck This." (A) [REDACTED] was immediately placed under arrest for disorderly conduct. (A) [REDACTED] was placed in the rear of my patrol vehicle. I then returned to (A) [REDACTED] where he was talking to PO Camacho and PO Lloyd. (A) [REDACTED] stated, "We were in the fuckin' [REDACTED]". [REDACTED] was advised again to stop swearing as several people were still in the area watching.</p> <p>I then spoke with PO Lloyd who had gone and spoke with [REDACTED]. PO Lloyd informed me that there was an incident involving [REDACTED] in the [REDACTED]. [REDACTED] told them to leave. They allegedly refused and remained [REDACTED] so the [REDACTED] physically pushed both of them out [REDACTED]. Then (A) [REDACTED] jumped [REDACTED] and started punching him. [REDACTED] hit [REDACTED] to get him off him. Officer [REDACTED] arrived shortly after this altercation.</p> <p>DNV - Want Warrant</p>										11
												12
										13		
ADMINISTRATIVE	Inquiries		NYSPIN Message No.		Complainant's Signature				use cover sheet		B	
	Reporting Officer's Signature (Include Rank)				ID No.		Supervisor's Signature (Include Rank)		ID No.		Page	
	CLEARED BY ARREST (ADULT)				04/20/2019						1	
	Status		Status Date		Notified/TOT		Review Date					

INCIDENT	Agency GENEVA POLICE DEPARTMENT			Division/Precinct		New York State INCIDENT REPORT		ORI		Supp.		Case No.	Inci		
	Report Day	Report Date	Report Time	Occurred On/From:	Day	Date	Time	Occurred To:	Day	Date	Time				
	Incident Type			Business Name					Weapon(s)			A			
	Address						City, State, Zip			Location Code			B		
	OFF.	LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE			CTS	No. of Victims	C	
												No. of Suspects	D		
ASSOCIATED PERSONS	Person Type: CO=Complainant OT=Other PI=Person Interviewed PR=Person Reporting WI=Witness NI=Not Interviewed VI=Victim Victim also Complainant													E	
	Type/No.	Name (Last, First, Middle, Suffix)				Date of Birth		Street No., Street Name, Apt. No., City, State, Zip					Telephone No.		F
															G
															H
															I
VICTIM	Person No.	Suspect No.	Date of Birth	Age	Sex	Race	Ethnic Origin	Handicapped	Residence Status			J			
	Victim DID receive information on Victim's Rights and Services pursuant to New York State Law ____ YES ____ NO													K	
SUSPECT MISSING/ARRESTED PERSON														M	
														N	
PROPERTY	Suspect No.	Status	Type	Measure	Drug Type									1	
														2	
														3	
														4	
														5	
	VEHICLE	Veh. Status	License Plate No.		State	Exp. Yr.	Plate Type		Value						6
		Veh. Yr.	Make		Model	Style		VIN						7	
	Color(s)	Towed By/To			Vehicle Notes									8	
NARRATIVE	<p>I then returned to speak with (A) who was still yelling and swearing. (A) said again, very loudly, "We were in the fucking I told that I already warned him about his language yelled, "I'm fucking telling you what happened. We got thrown out of the fucking was then placed under arrest for Disorderly Conduct as well. (A) was taken by PO Baskin and placed in his patrol vehicle and transported to the PSB. Myself and PO Lloyd transported to the PSB. Both (A)'s were processed and transported to the Ontario County Jail for arraignment due to them unable to find a sober third party to sign them out.</p>													9	
														10	
														11	
														12	
														13	
ADMINISTRATIVE	Inquiries				NYSPIN Message No.				Complainant's Signature				use cover sheet		B
	Reporting Officer's Signature (Include Rank)				ID No. SAND		Supervisor's Signature (Include Rank)				ID No. NBIE		Page		
	Status				Status Date		Notified/TOT				Review Date		2		

GENERAL INFORMATION

Reporting Officer: SAND

File Date: 05/03/2019

Last Updated On: 05/03/2019

Incident No: [REDACTED]

Reference No. 1:

Reference No. 2:

Reference No. 3:

NARRATIVE

On 5/3/19 I located footage of the incident from [REDACTED] A request was sent to Lt. Valenti.

08/19/19 15:27:34

****P.O. SHANNON M ANDERSON****

SUPERVISORY REVIEW _____

DATE: _____

GENERAL INFORMATION

Reporting Officer: SAND

File Date: 05/07/2019

Last Updated On: 08/19/2019

Incident No: [REDACTED]

Reference No. 1:

Reference No. 2:

Reference No. 3:

NARRATIVE

Copy of video obtained. Copy made and put in case file for ADA Hart. Original logged into evidence.

08/19/19 15:27:59

****P.O. SHANNON M ANDERSON****

SUPERVISORY REVIEW

DATE: _____

GENERAL INFORMATION

Supervisor: NBIE BIELOWICZ Dispatcher: SAND ANDERSON Responding Officer: SAND ANDERSON
Date/Time: 04/20/19 00:39 Reported Signal: ARREST/SUBJECT IN CUSTODY 15
Actual Signal: ARREST/SUBJECT IN CUSTODY 15 Received By:
Received: 00:39:21 Arrest: 00:35

Vehicle Description:

Plate No.:

Disposition: AR-A

Action Taken:

Reference No. 1:

State: NY

Disp. Date: 04/20/19 01:25

Report Taken: NO

Reference No. 2:

LOCATION**CALLER INFORMATION**

Last Name: 825

Alias/Maiden Name:

Address:

City: GENEVA

Phone: (____) ____-____

First Name: ANDERSON,

State: NY

Anonymous: NO

Middle Name/Suffix:
DOB:

Zip: 14456____

RESPONDING UNITS/OFFICERSUnit/OfficerDispatchedArrivedCleared**ASSOCIATED PERSONS****NOTES**

A FOR DISORDERLY CONDUCT

FOR REPORT

1. NYSID No.	2. OBTS No.	3. Case No.	4. Ref. No.	4a.	4b.
5. FBI No.	6. Arrest No. 2019-188	7. Agency GENEVA POLICE DEPARTMENT			8. Division/Precinct

DEFENDANT INFORMATION

ARREST INFORMATION

37. Arresting Officer SHANNON M. ANDERSON	38. ID No. SAND	39. Assisting Officer RICHARD BASKIN	40. ID No. RBAS		
			44. Juvenile NO	45. Condition of Defendant at Arrest IMPAIRED ALCO	
46. Weapon -	47. Co-Defendant's Arrest No.	48. Miranda NO	49. Miranda By []	50. Miranda Date	51. Miranda Time
52. Statements VERBAL	53. Status BAIL/ROR	54. Search Warrant NO		55. ID Procedure NONE	
56. Arraignment Court C/GENEVA	57. Arraignment Judge PRESIDING				
60. Property YES	61. Evidence NO	61a. Processed By []	61b. Disposition		

CHARGE INFORMATION

		63. Release Status APP TKT		64. Bail Amount 0.00		65. Bondsman									
66. Photo No.			67. Arrest Type CIP			68. Warrant No.									
69. Arrest FOA NO		70. Other Agency -				71. F/P Taken NO									
72. [C]T[V] Location Of Offense (City, County, State) [C] GENEVA, ONTARIO, NY					74. No. Offenders 1		75. No. Victims								
76. Return Court C/GENEVA			77. Return Judge PRESIDING												
80. Defendant/Case TOT Agency			80a. Officer's Name			80b. ID No.		81. Time	82. Date						
83. LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE	CTS	NCIC Code	Age	Sex	Victims	Handicap	ASSOC. NO.	TYPE
PL	240.20	2,3	U	V			DISORDERLY CONDUCT		03402			NO			

GENERAL INFORMATION

Supervisor: NBIE BIELOWICZ Dispatcher: SAND ANDERSON Responding Officer: SAND ANDERSON
Date/Time: 04/20/19 00:40 Reported Signal: ARREST/SUBJECT IN CUSTODY 15
Actual Signal: ARREST/SUBJECT IN CUSTODY 15 Received By:
Received: 00:40:09 Arrest: 00:36

Vehicle Description:

Plate No.:

Disposition: AR-A

Action Taken:

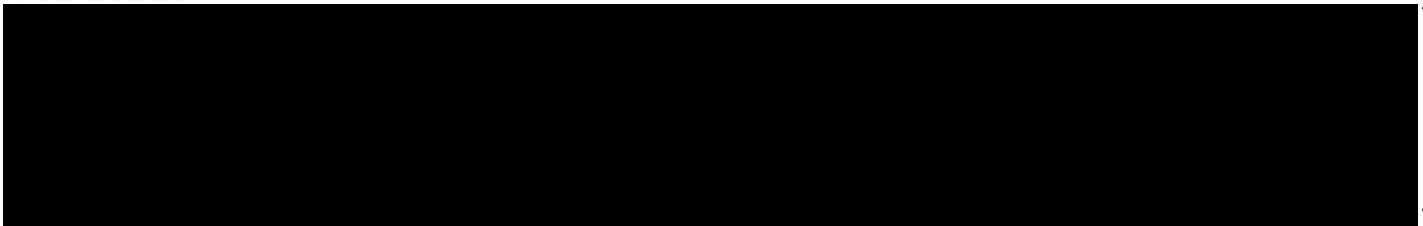
Reference No. 1:

State: NY

Disp. Date: 04/20/19 01:26

Report Taken: NO

Reference No. 2:

LOCATION

Last Name: 825

First Name: ANDERSON,

Middle Name/Suffix:

Alias/Maiden Name:

DOB:

Address:

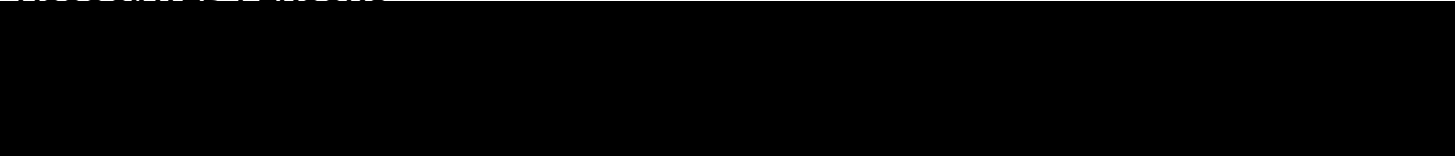
City: GENEVA

State: NY

Zip: 14456

Phone: () -

Anonymous: NO

RESPONDING UNITS/OFFICERSUnit/OfficerDispatchedArrivedCleared**ASSOCIATED PERSONS****NOTES**

A FOR DISORDERLY CONDUCT

FOR REPORT

1. NYSID No.	2. OBTS No.	3. Case No.	4. Ref. No.	4a.	4b.
5. FBI No.	6. Arrest No. 2019-189		7. Agency GENEVA POLICE DEPARTMENT		8. Division/Precinct

DEFENDANT INFORMATION

[illegible]

ARREST INFORMATION

37. Arresting Officer SHANNON M. ANDERSON		38. ID No. SAND		39. Assisting Officer JENNIFER LLOYD		40. ID No. JLLO			
						44. Juvenile NO		45. Condition of Defendant at Arrest IMPAIRED ALCO	
46. Weapon -		47. Co-Defendant's Arrest No.		48. Miranda		49. Miranda By [REDACTED]		50. Miranda Date	
								51. Miranda Time	
52. Statements VERBAL		53. Status PROBATION		54. Search Warrant		55. ID Procedure			
56. Arraignment Court C/GENEVA		57. Arraignment Judge PRESIDING		[REDACTED]					
60. Property YES		61. Evidence NO		61a. Processed By [REDACTED]		61b. Disposition			

CHARGE INFORMATION

										63. Release Status APP TKT				64. Bail Amount 0.00		65. Bondsman							
66. Photo No.										67. Arrest Type CIP						68. Warrant No.							
69. Arrest FOA NO						70. Other Agency										71. F/P Taken NO							
72. [C T V] Location Of Offense (City, County, State) [C] GENEVA, ONTARIO, NY																				75. No. Victims			
76. Return Court C/GENEVA								77. Return Judge PRESIDING														79. Return Time 08:30	
80. Defendant/Case TOT Agency							80a. Officer's Name							80b. ID No.		81. Time			82. Date				
83. LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE						CTS	NCIC Code	Age	Sex	Handicap	ASSOC. NO.	TYPE				
PL	240.20	2,3	U	V			DISORDERLY CONDUCT							03402			NO						

GENERAL INFORMATION

Supervisor: NBIE BIELOWICZ
Date/Time: 04/20/19 02:08
Actual Signal: TRANSPORT 133
Received: 02:08:12

Dispatcher: 00 BIELOWICZ
Reported Signal: TRANSPORT 133

Responding Officer: SAND ANDERSON

Received By:

Cleared: 03:00

Vehicle Description:

Plate No.:

Disposition: A

Action Taken:

Reference No. 1:

State:

Disp. Date: 04/20/19 05:46

Report Taken: NO

Reference No. 2: G191100005

LOCATION

Location Name: GENEVA POLICE DEPARTMENT

Address: 255 EXCHANGE ST

Alt. Address:

Apt. No.:

Phone No.: (315) 789-1111

City: GENEVA

Zone: BEAT 2

Direction:

Intersection:

CALLER INFORMATION

Last Name: ANDERSON

First Name: PO

Middle Name/Suffix: G825

Alias/Maiden Name:

DOB:

Address: GENEVA POLICE DEPARTMENT

City: GENEVA

State: NY

Zip: 14456

Phone: (315) 828-6771

Anonymous: NO

RESPONDING UNITS/OFFICERS

Unit/Officer

Dispatched

Arrived

Cleared

G823

G825

ASSOCIATED PERSONS**NOTES**

2 MALES TO OCJ[04/20/19 02:09:01 SABRINAMM] 2 MALES TO OCJ



TO: Officer Shannon Anderson, 825, Officer Jennifer Lloyd, 823

FROM: Lt. Jeffrey M. Potter

DATE: August 20, 2019

SUBJECT: Notification of Personnel Complaint [REDACTED]

The department is in receipt of a Personnel Complaint in which you are a target of the complaint. This complaint was based upon information received from [REDACTED] following his lawful arrest for Disorderly Conduct. [REDACTED] Lt. Jeffrey Potter has been assigned to investigate this complaint. [REDACTED] alleges while in the holding cell, Officer Anderson kicked his cell and told him to shut the "fuck up." [REDACTED] also alleges that during transport to OCJ with another female Officer, Officer Lloyd, the rear windows of the patrol vehicle were left down and it was 35 degrees outside. When [REDACTED] asked for the windows to go up, it is alleged the radio volume was turned up acting as if the request was not heard. [REDACTED] also reports, his brother, [REDACTED] was present for the transport to OCJ and was not wearing a shirt.

Department policy prohibits you from communicating any information related to this investigation with (where applicable) the victim, complainant or witnesses. You shall not engage in actions that may subvert the investigative process via disclosure of information. You shall not engage in conversation or any other form of communication regarding this matter with anyone outside of your legal representative(s), the chief of police, the assigned investigator or anyone with whom you have a legally privileged relationship until you have been officially notified of the completion of the investigation. You shall immediately notify the investigator of any possible violations of these orders. If you believe that you have been denied any right that you are entitled to by statute, contract or other authority you shall immediately notify the investigator.

I have read and understand this notification.

Received by: PO S. Anderson Date: 8/23/19

Witness: LSC [Signature], 803



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police
255 Exchange St. - Geneva, New York 14456
(315) 828-6771 - Fax (315) 789-1814 - cityofgenevany.com





TO: Officer Shannon Anderson, 825, Officer Jennifer Lloyd, 823

FROM: Lt. Jeffrey M. Potter

DATE: August 20, 2019

SUBJECT: Notification of Personnel Complaint [REDACTED]

The department is in receipt of a Personnel Complaint in which you are a target of the complaint. This complaint was based upon information received from [REDACTED] following his lawful arrest for Disorderly Conduct. [REDACTED] Lt. Jeffrey Potter has been assigned to investigate this complaint. [REDACTED] alleges while in the holding cell, Officer Anderson kicked his cell and told him to shut the "fuck up." [REDACTED] also alleges that during transport to OCJ with another female Officer, Officer Lloyd, the rear windows of the patrol vehicle were left down and it was 35 degrees outside. When [REDACTED] asked for the windows to go up, it is alleged the radio volume was turned up acting as if the request was not heard. [REDACTED] also reports, his brother, [REDACTED] was present for the transport to OCJ and was not wearing a shirt.

Department policy prohibits you from communicating any information related to this investigation with (where applicable) the victim, complainant or witnesses. You shall not engage in actions that may subvert the investigative process via disclosure of information. You shall not engage in conversation or any other form of communication regarding this matter with anyone outside of your legal representative(s), the chief of police, the assigned investigator or anyone with whom you have a legally privileged relationship until you have been officially notified of the completion of the investigation. You shall immediately notify the investigator of any possible violations of these orders. If you believe that you have been denied any right that you are entitled to by statute, contract or other authority you shall immediately notify the investigator.

I have read and understand this notification.

Received by: PO [Signature] 823 Date: 8-30-19

Witness: LJ [Signature] 803



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police

255 Exchange St. - Geneva, New York 14456
(315) 828-6771 - Fax (315) 789-1814 - cityofgenevany.com





TO: Officer Shannon Anderson, 825
FROM: Lt. Jeffrey M. Potter
DATE: November 5, 2019
SUBJECT: Personnel Complaint [REDACTED]

Officer Anderson,

You signed a Notification of Personnel Complaint letter on August 23, 2019. This letter is requesting a response, in writing, as to your actions in relationship to that complaint.

Question One:

- Did you, while [REDACTED] was detained in our City Lock-up following his lawful arrest for Disorderly Conduct, approach [REDACTED] cell, kick said cell, telling [REDACTED] to "shut the fuck up."? Explain your side of this accusation.

Question Two:

- During transport with Officer Jennifer Lloyd to the Ontario County Jail, were the patrol vehicle windows left open during transport with [REDACTED] in a tee-shirt and his brother, [REDACTED] without a shirt (also arrested for Disorderly Conduct)? Reportedly, the ambient air temperature was 35 degrees that night. Explain your side of this accusation.

Please have your written response to this Lieutenant's office by November 15, 2019.

Note: [REDACTED] criminal case traveled through court where he was found guilty during a Bench Trial and sentenced to a [REDACTED]

Thank you.

Received by: Shannon Anderson Date: 11/5/19

Witness: LS [Signature] 803



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City of Geneva POLICE DEPARTMENT

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

Michael Passalacqua
Chief of Police

TO: Lt. Potter
FROM: Officer S. Anderson
DATE: 11/5/2019
RE: Personnel Complaint [REDACTED]

Lt. Potter,

On [REDACTED] I arrested [REDACTED] and his brother [REDACTED] for disorderly conduct. From the moment I stepped out on scene with [REDACTED] they were both verbally aggressive and disorderly. Their behavior continued while at the Public Safety Building when they were being processed for the arrest. [REDACTED] spent their time in the booking area, yelling, screaming and sexually harassing me. While trying to speak with [REDACTED] to obtain his information for the necessary arrest paperwork [REDACTED] continued yelling loudly at me telling me that I was a "dike" and that I would "probably enjoying sucking his dick." I yelled at [REDACTED] to "Shut the fuck up" so that I could question [REDACTED] and get the paperwork complete. The only time I approached [REDACTED] while he was in the cell was to take him his cell phone so he could attempt to make a call to pick him up. At no time did I kick the cell.

Regarding the transport to the jail the windows in the patrol vehicle were lowered at request of either [REDACTED] I do not recall which brother made the request. At no time did I hear either man say they were cold or ask the windows to be put up.

Respectfully,

PO S. Anderson 825

Officer Shannon Anderson



TO: Officer Jennifer Lloyd, 823
FROM: Lt. Jeffrey M. Potter
DATE: November 5, 2019
SUBJECT: Personnel Complaint [REDACTED]

Officer Anderson, *Lloyd*

You signed a Notification of Personnel Complaint letter on August 23, 2019. This letter is requesting a response, in writing, as to your actions in relationship to that complaint.

Question One:

- During transport with Officer Shannon Anderson to the Ontario County Jail, were the patrol vehicle windows left open during transport with [REDACTED] in a tee-shirt and his brother, [REDACTED] without a shirt (also arrested for Disorderly Conduct)? Reportedly, the ambient air temperature was 35 degrees that night. Explain your side of this accusation.

Please have your written response to this Lieutenant's office by November 15, 2019.

Note: [REDACTED] criminal case traveled through court where he was found guilty during a Bench Trial [REDACTED]

Thank you.

Received by: *Do-A* Date: *11/7/2019*

Witness: *Sgt A 864*



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To: Lt. Potter
From: PO Jennifer Lloyd #823
Date: November 8, 2019
Subject: Personnel Complaint [REDACTED]

Question One:

- During transport with Officer Shannon Anderson to the Ontario County Jail, were the patrol vehicle windows left open during transport with [REDACTED] in a tee-shirt and his brother [REDACTED] without a shirt (also arrested for Disorderly Conduct)? Reportedly, the ambient air temperature was 35 degrees that night. Explain your side of this accusation.

Lt. Potter,

At your request here is the response to your letter about PO Anderson's arrest. On [REDACTED] [REDACTED] worked OT from 2300-0300 hours with PO Anderson assigned to the beat in marked patrol unit GV5. At about 0020 hours, PO Anderson and myself observed 2 males that looked like they were going to get into an altercation in front of [REDACTED] in the City of Geneva. PO Anderson placed both males under arrest for Disorderly Conduct. PO Anderson handled the males arrest/processing back at the PSB. PO Anderson called this officer back to the PSB when she was ready for the two males to be transported to OCJ. While PO Anderson and this officer were escorting the two males into marked patrol unit GV5 for transport, the males were calling both PO Anderson and myself, dikes, asked if we wanted to suck their dicks, that they were hard, sexually harassing us while trying to conduct our job. Both males asked if the window could be put down as they were hot. The rear windows were put down at their request. The males were transported to OCJ. During transport the two males continued to sexually harass PO Anderson and myself by calling us "CUNTS", to "come suck our dicks", "their nipples were hard as rocks and could cut ice", telling us to; "come back and lick and suck them". Both males continuing to sexually harass both female officers during transport to OCJ. However, when this officer heard one of the males ask if the window could be closed, the windows were closed.

Respectfully,

 #823

PO Jennifer Lloyd #823

**GENEVA CITY COURT**

255 Exchange Street, Geneva, NY 14456

Phone: (315) 237-6575 Fax: (315) 237-6415

NO FEE

The People of the State of New York

Certificate of Disposition

Docket Number:

Defendant DOB

Arrest Date:

THIS IS TO CERTIFY that the undersigned has examined the files of the **Geneva City Court** concerning the above entitled matter and finds the following:

Count	Incident Date	Conviction Charge	Charge Weight	Conviction Charge Description	Conviction Type	Conviction/ Sentence Date	Sentence Highlight
1		PL 240.20 03	V	Dis/Con:Obscene Lang/Gestures	Tried-Found Guilty		

All fines, fees & surcharges imposed at sentence are paid in full.

Dated: November 12, 2019
Chief Clerk/Clerk of the Court

CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL

Conviction charges may not be the same as the original arrest charges.



City of Geneva POLICE DEPARTMENT

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

Michael Passalacqua
Chief of Police

To: Officer Shannon Anderson
From: Lt Jeffrey Potter, 803
Date: 11/20/19
Re: [REDACTED] Personnel Complaint [REDACTED]

Officer Anderson,

The personnel complaint filed by [REDACTED] has been closed. [REDACTED] alleged police misconduct during his lawful arrest for Disorderly Conduct. [REDACTED] as a witness to this conduct. [REDACTED] was also arrested for Disorderly Conduct at the same time as you well know.

During this investigation, the totality of circumstances has led this investigator to find a General Order violation to be **SUSTAINED**:

General Order 305: 25. Courtesy

Officers and employees shall be courteous to the public. Officers/employees shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers/employees shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics

In reading the letter from Officer Lloyd and yourself, requesting the details of this incident, I as the investigator was troubled by the defaming nature of the comments made by [REDACTED]. As I wrote in my report to the Chief of Police, the professionalism displayed by Officer Lloyd and yourself during this challenging incident speaks volumes to the level of police officer you both are.

This Investigator requests that next time you are faced with a subject of this disrespectful nature, you maintain the same level of professionalism, keeping this ruling in mind, but do not allow subjects to control you or intimidate you during arrests, as you both did for this one. Do not change how you work in this type of situation.

Case closed. No further actions required.

Thank you,

Lt Jeffrey M Potter, 803



To: Chief Michael J Passalacqua
From: Lt. Jeffrey M Potter
Date: November 12, 2019

This is the Final Report for Internal Investigation [REDACTED] brought by [REDACTED] against PO Shannon Anderson and PO Jennifer Lloyd involving the following potential violation of the Geneva Police Department General Orders:

G.O. 305, Rules of Conduct

25. **Courtesy-** Officers and employees shall be courteous to the public. Officers/employees shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers/employees shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.

Overview

During the lawful arrest of [REDACTED] for Disorderly Conduct, [REDACTED] has made claim that they were the victims of Police Misconduct during their in-custody time at the Public Safety Building and during transport to the Ontario County Jail.

Identification & Explanation of Allegations and Recommended Findings

On [REDACTED] @ 12:20 am, PO Anderson and PO Lloyd were teamed up on the beat and observed a disturbance in front of [REDACTED]. Officer Anderson made the lawful Disorderly Conduct arrests based on her observations and the conduct of [REDACTED] namely swearing on the public sidewalk of [REDACTED]. Both subjects were involved in an altercation inside of [REDACTED] and were physically removed by [REDACTED]. It should be noted that Officer Anderson indicated on her arrest reports that both [REDACTED] had a condition upon arrest of Impaired Alcohol, which indicates Officer Anderson observed the insignias of alcohol consumption in both arrestees. [REDACTED] were advised numerous times by Officer Anderson to stop swearing, but the conduct continued, leading to the arrests. [REDACTED]



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██████████ alleges that while in the holding cell, Officer Anderson came up to his cell, kicked the cell and told him to "shut the fuck up!"

- Officer Anderson, in sum and substance, report she did in fact tell ██████████ to "shut the fuck up" as while trying to question ██████████ for booking purposes, ██████████ continually yelled loudly at Officer Anderson, referring to her as "dike" that she would "probably enjoy sucking his dick."

Another topic of his written complaint, ██████████ also alleges they were transported to OCJ with the windows of the patrol car down, where he had a tee-shirt and ██████████ had no shirt and the ambient temperature was 35 degrees.

- Officer Anderson, in sum and substance, reports one of the males, ██████████ requested the windows to be open during transport. At no time did she hear either request the windows to go up during transport.
- Officer Lloyd was also present during this transport. Officer Lloyd reports the males sexually harassed both female officers during the entire transport, calling them "cunts," asking the officers to "come suck our dicks," "their nipples were hard as rocks and could cut ice," asking the officers to "come back and lick and suck them." Officer Lloyd does report hearing the one of the males ask if the windows could be closed and Officer Lloyd reports the windows were closed then.

Lt. Potter,

On ██████████ I arrested ██████████ and his brother ██████████ for disorderly conduct. From the moment I stepped out on scene with ██████████ they were both verbally aggressive and disorderly. Their behavior continued while at the Public Safety Building when they were being processed for the arrest. ██████████ spent their time in the booking area, yelling, screaming and sexually harassing me. While trying to speak with ██████████ to obtain his information for the necessary arrest paperwork ██████████ continued yelling loudly at me telling me that I was a "dike" and that I would "probably enjoy sucking his dick." I yelled at ██████████ to "Shut the fuck up" so that I could question ██████████ and get the paperwork complete. The only time I approached ██████████ while he was in the cell was to take him his cell phone so he could attempt to make a call to pick him up. At no time did I kick the cell.

Regarding the transport to the jail the windows in the patrol vehicle were lowered at request of either ██████████ I do not recall which brother made the request. At no time did I hear either man say they were cold or ask the windows to be put up.

Respectfully,

PO S. Anderson 825

Question One:

- During transport with Officer Shannon Anderson to the Ontario County Jail, were the patrol vehicle windows left open during transport with [REDACTED] in a tee-shirt and his brother [REDACTED] without a shirt (also arrested for Disorderly Conduct)? Reportedly, the ambient air temperature was 35 degrees that night. Explain your side of this accusation.

Lt. Potter,

At your request here is the response to your letter about PO Anderson's arrest. [REDACTED] 2019 I worked OT from 2300-0300 hours with PO Anderson assigned to the beat in marked patrol unit GV5. At about 0020 hours, PO Anderson and myself observed 2 males that looked like they were going to get into an altercation in front of [REDACTED] in the City of Geneva. PO Anderson placed both males under arrest for Disorderly Conduct. PO Anderson handled the males arrest/processing back at the PSB. PO Anderson called this officer back to the PSB when she was ready for the two males to be transported to OCJ. While PO Anderson and this officer were escorting the two males into marked patrol unit GV5 for transport, the males were calling both PO Anderson and myself, dikes, asked if we wanted to suck their dicks, that they were hard, sexually harassing us while trying to conduct our job. Both males asked if the window could be put down as they were hot. The rear windows were put down at their request. The males were transported to OCJ. During transport the two males continued to sexually harass PO Anderson and myself by calling us "CUNTS", to "come suck our dicks", "their nipples were hard as rocks and could cut ice", telling us to; "come back and lick and suck them". Both males continuing to sexually harass both female officers during transport to OCJ. However, when this officer heard one of the males ask if the window could be closed, the windows were closed.

Respectfully,

 #823

PO Jennifer Lloyd #823

Recommended Finding:

At the time of this report, based upon the totality of the circumstances, to me the following is:

Sustained

**G.O. 305, Rules of Conduct
25. Courtesy**

Officer Anderson did allow [REDACTED]'s actions to cause her to use profane language, which could bring the department into disrepute or reflects discredit upon the officer as a member of the department.

- ****Although this type of conduct does/could bring the department or officer into disrepute, at no time should Officer Anderson or Officer Lloyd have to be subjected to the type of language and sexual harassment brought on by [REDACTED]. Officer Anderson and Officer Lloyd acted in professional manners as [REDACTED] and [REDACTED] were arrested, transported to the PSB, processed and then transported to the OCJ without incident to either male.****
- [REDACTED] was found guilty of Disorderly Conduct in the Geneva City Court. See below:

Certificate #: U-000000118-N

Page 1 of 1



GENEVA CITY COURT

255 Exchange Street, Geneva, NY 14456

Phone: (315) 237-6575 Fax: (315) 237-6415

NO FEE

The People of the State of New York
vs.

Certificate of Disposition
Docket Number: [REDACTED]

Defendant DOB: [REDACTED]

Arrest Date: [REDACTED]

THIS IS TO CERTIFY that the undersigned has examined the files of the Geneva City Court concerning the above entitled matter and finds the following:

Count	Incident Date	Conviction Charge	Charge Weight	Conviction Charge Description	Conviction Type	Conviction/Sentence Date	Sentence Highlight
I	[REDACTED]	PL 240.20 03	V	Dis/Con:Obscene Lang/Gestures	Tried-Found Guilty	[REDACTED]	[REDACTED]

All fines, fees & surcharges imposed at sentence are paid in full.

Dated: November 12, 2019

Josephine [Signature]
Chief Clerk/Clerk of the Court

CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL

Conviction charges may not be the same as the original arrest charges.

Special Note – This incident occurred on [REDACTED] This complaint filed by [REDACTED] was received by Alicia Jean, Geneva Deputy City Clerk on May 20, 2019 @ 0835. Video from the [REDACTED] (Attached) was secured by Officer Shannon Anderson as part of the criminal investigation on [REDACTED] Upon receipt of this complaint filed by [REDACTED], the [REDACTED] video which would cover [REDACTED] had re-written as it only secures video for 21 days. There are no [REDACTED] videos for this incident due to the 21 day re-write property of [REDACTED]

Complete and Submitted,

Lt Jeff M. Potter, 803

Lt Jeffrey M Potter, 803
Uniformed Lieutenant
Internal Affairs Investigator

Attachments

1. CR 2019-13897 (Confidential Investigation)
2. Geneva Police Department Complaint Action Form
3. [REDACTED] Call for Service and Incident Report - Disturbance
4. [REDACTED] Call for Service and Arrest Card for [REDACTED]
5. [REDACTED] Call for Service and Arrest Card for [REDACTED]
6. [REDACTED] Transport Call for Service
7. Notice of Personnel Complaint - Officer Shannon Anderson
8. Notice of Personnel Complaint - Officer Jennifer Lloyd
9. Letter to Officer Shannon Anderson
10. Response from Officer Shannon Anderson
11. Letter to Officer Jennifer Lloyd
12. Response from Officer Jennifer Lloyd
13. Geneva City Court Certificate of Disposition [REDACTED]
14. DVD with video from [REDACTED]



November 26, 2019



Relative to your Personnel Complaint involving Police Officer Shannon Anderson the following investigation was undertaken by Police Lieutenant Jeffrey Potter"

1. [REDACTED] Call for Service and Incident Report- Disturbance
2. [REDACTED] Call for Service and Arrest Card for [REDACTED]
3. [REDACTED] Call for Service and Arrest Card for [REDACTED]
4. [REDACTED] Transport Call for Service
5. Notice of Personnel Complaint- Officer Shannon Anderson
6. Letter sent to Officer Shannon Anderson
7. Response Letter from Officer Shannon Anderson
8. Letter sent to Officer Jennifer Lloyd
9. Response Letter from Officer Jennifer Lloyd
10. Geneva City Court Certificate of Disposition [REDACTED]
11. DVD with video from [REDACTED]

Specific Complaint

1. Police Misconduct- In this complaint due to its nature, this falls under Rules of Conduct, specifically Courtesy within the Geneva Police Department General Orders Manual

Finding

1. Complaint of Courtesy under Rules of Conduct is **SUSTAINED**, meaning the act complained of did occur and constituted a violation of policy, procedure, rules, regulations or statute.

I want to thank you for bringing your concerns forward to my office as complaints such as this can often times have a beneficial impact on the department. The officer in question will be dealt with internally by my office.

Sincerely,

Michael J. Passalacqua
Chief of Police



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police

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